

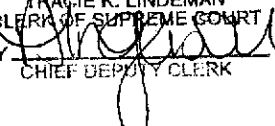
IN THE COURT OF APPEALS OF THE STATE OF NEVADA

ROCHELLE KRISTINE SOLORZANO,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 69409

FILED

JUL 27 2016

FRAGIE K. LINDEMAN
CLERK OF SUPREME COURT
BY 
CHIEF DEPUTY CLERK

ORDER OF AFFIRMANCE

This is an appeal from a judgment of conviction, pursuant to a jury verdict, of accessory to a felony. Eighth Judicial District Court, Clark County; Elissa F. Cadish, Judge.

Appellant Rochelle Kristine Solorzano argues the State committed prosecutorial misconduct during closing arguments by asserting Solorzano viewed a media release from the police that stated Julio Rodriguez was a suspect in a shooting incident and was armed and dangerous. Solorzano did not object to these statements, and thus, no relief is warranted absent a demonstration of plain error. *See Valdez v. State*, 124 Nev. 1172, 1190, 196 P.3d 465, 477 (2008). Under the plain error standard, we determine “whether there was error, whether the error was plain or clear, and whether the error affected the defendant’s substantial rights.” *Anderson v. State*, 121 Nev. 511, 516, 118 P.3d 184, 187 (2005) (internal quotation marks omitted).


Solorzano does not demonstrate plain error in this regard. During trial, testimony was presented that Solorzano and Rodriguez traveled from Las Vegas to California shortly after Rodriguez shot and killed someone. An officer testified regarding exhibits admitted into trial,

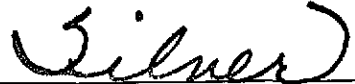
and explained that the exhibits depicted photographs Rodriguez had taken of Solorzano's phone while her phone displayed the media release. The photographs were taken when Solorzano and Rodriguez were traveling together. Later, while police officers watched Rodriguez's California residence, an officer witnessed Solorzano drive toward the residence with a male attempting to hide in the backseat, heard her state that the "cops" were watching the residence, and watched as she rapidly drove away from the residence. Following Rodriguez's later arrest, Solorzano told Rodriguez during a recorded telephone call that he was "armed and dangerous, like they said," an indication she was aware of that statement from the media release.

Under these circumstances, it was reasonable to infer Solorzano had viewed the media release and the State properly asserted so during closing arguments. *See Truesdell v. State*, 129 Nev. ___, ___, 304 P.3d 396, 402 (2013) (during closing arguments "the prosecutor may . . . assert inferences from the evidence and argue conclusions on disputed issues"). Therefore, Solorzano does not demonstrate error affecting her substantial rights. Accordingly, we

ORDER the judgment of conviction AFFIRMED.


_____, C.J.
Gibbons


_____, J.
Tao


_____, J.
Silver

cc: Hon. Elissa F. Cadish, District Judge
Law Office of Joshua L. Harmon
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk