

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

EDUARDO ZEPEDA,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 69311

FILED

MAR 23 2017

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY S. Young
DEPUTY CLERK

ORDER OF AFFIRMANCE

Appellant Edwardo Zepeda appeals from a judgment of conviction, pursuant to a jury verdict, of burglary. Eighth Judicial District Court, Clark County; Jessie Elizabeth Walsh, Judge.

Zepeda argues the district court erred in denying his pretrial motion to suppress evidence of a show-up identification. The district court did not conduct a suppression hearing and appears to have based the majority of its findings upon the evidence presented at the preliminary hearing.¹ However, Zepeda did not provide this court with a transcript of the preliminary hearing.

Zepeda also argues the district court committed plain error during the trial by admitting a recording of a 911 call. However, the trial transcript did not contain a transcription of the 911 recording, the record


¹In support of his motion to suppress, Zepeda also provided the district court with photographs depicting the scene and his appearance at the time of his arrest, but it is not clear if the district court relied upon those photographs when making its decision. We note the photographs are not included in the record before this court.

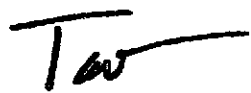
before this court also does not contain a transcript of the 911 recording, and Zepeda did not have the audio recording of the 911 call transmitted to this court, *see* NRAP 30(d).


It is Zepeda's burden to provide this court with an adequate record to review the issues raised on appeal. *See* NRAP 30(b)(3); *McConnell v. State*, 125 Nev. 243, 256 n.13, 212 P.3d 307, 316 n.13 (2009). Because Zepeda did not provide an adequate record for this court's review of these issues, we decline to consider these claims.

In addition, Zepeda argues cumulative error entitles him to relief. However, because Zepeda fails to demonstrate any error, we conclude he was not entitled to relief due to cumulative error.

Having concluded Zepeda is not entitled to relief, we
ORDER the judgment of conviction AFFIRMED.


_____, C.J.
Silver


_____, J.
Tao


_____, J.
Gibbons

cc: Hon. Jessie Elizabeth Walsh, District Judge
Lambrose Brown, PLLC
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk