

IN THE SUPREME COURT OF THE STATE OF NEVADA

CAMERON ROBERT STEINER,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 77041

FILED

SEP 12 2019

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

ORDER OF AFFIRMANCE

This is an appeal from a judgment of conviction, pursuant to a jury verdict, of battery by a prisoner.¹ Eighth Judicial District Court, Clark County; Kathleen E. Delaney, Judge.

Appellant Cameron Robert Steiner contends that the district court erred in excluding evidence of the victim's prior bad acts under NRS 48.045(2).² We disagree. This court "reviews a district court's decision to admit or exclude prior-bad-act evidence under an abuse of discretion standard." *Newman v. State*, 129 Nev. 222, 231, 298 P.3d 1171, 1178 (2013).

Evidence is inadmissible "to prove the character of a person in order to show that person acted in conformity therewith." NRS 48.045(2). The district court excluded the prior bad acts as improper propensity

¹Pursuant to NRAP 34(f)(1), we have determined that oral argument is not warranted.

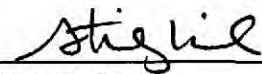
²Steiner does not argue that the district court erred in granting the State's motion to exclude the evidence under NRS 48.045(1)(b). Steiner does argue that the district court erred by considering the State's motion as it was untimely under EDCR 3.20(a). EDCR 3.20(a) is discretionary and nothing in the record demonstrates that the district court abused that discretion. Therefore, we conclude the district court did not err in considering the State's motion.

evidence of the victim's character. The record does not demonstrate the evidence was relevant for the non-propensity reasons Steiner proffered—motive, plan, knowledge, opportunity and modus operandi. Therefore, we conclude the district court did not abuse its discretion by excluding the prior-bad-act evidence.

On appeal, Steiner argues that the prior-bad-act evidence should have been admitted to prove intent and lack of mistake. Because Steiner did not offer the prior-bad-act evidence for this purpose, we decline to consider this contention on appeal. *See McCall v. State*, 97 Nev. 514, 516, 634 P.2d 1210, 1212 (1981) (“Where evidence is not offered for a particular purpose at trial, an appellate court will not consider it for that purpose on appeal.”). Accordingly, we

ORDER the judgment of conviction AFFIRMED.³


C.J.
Gibbons


J.
Stiglich


Sr. J.
Douglas

cc: Hon. Kathleen E. Delaney, District Judge
Jennifer L. Ferris
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk

³The Honorable Michael Douglas, Senior Justice, participated in the decision of this matter under a general order of assignment.