

IN THE SUPREME COURT OF THE STATE OF NEVADA

THE STATE OF NEVADA,  
Appellant,  
vs.  
DESMOND FLEMING,  
Respondent.

No. 37879

FILED

JUL 10 2002

JANETTE M. BLOOM  
CLERK OF SUPREME COURT  
BY *[Signature]*  
DEPUTY CLERK

ORDER OF AFFIRMANCE

After a careful review of the record and arguments on appeal, we conclude that the district court did not abuse its discretion in granting respondent Desmond Fleming's motion for a new trial.<sup>1</sup> Cumulative errors in Fleming's trial support the district court's judgment.<sup>2</sup> Accordingly, we

ORDER the judgment of the district court AFFIRMED.

*[Signature]* J.  
Young  
*[Signature]* J.  
Agosti  
*[Signature]* J.  
Leavitt

cc: Hon. Jeffrey D. Sobel, District Judge  
Attorney General/Carson City  
Clark County District Attorney  
David M. Schieck  
Clark County Clerk

<sup>1</sup>See NRS 176.515(4); Domingues v. State, 112 Nev. 683, 695, 917 P.2d 1364, 1371 (1996).

<sup>2</sup>See DeChant v. State, 116 Nev. 918, 927, 10 P.3d 108, 113 (2000).