

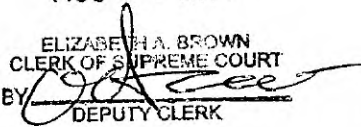
IN THE COURT OF APPEALS OF THE STATE OF NEVADA

JORDAN SCOTT WEBER,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 86425-COA

FILED

AUG 01 2024

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
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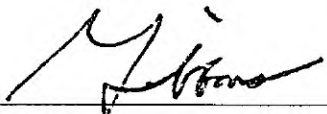
ORDER OF AFFIRMANCE

Jordan Scott Weber appeals from a judgment of conviction, entered pursuant to a jury verdict, of two counts of battery with the use of a deadly weapon, and one count each of assault with the use of a deadly weapon and false imprisonment with the use of a deadly weapon. First Judicial District Court, Carson City; James Todd Russell, Judge.

Weber argues that his speedy trial rights were violated where there was a 510-day delay between his arrest and trial. In the district court, Weber did not argue that his speedy trial rights had been violated. Thus, Weber's claim was forfeited. *See Jeremias v. State*, 134 Nev. 46, 50, 412 P.3d 43, 48 (2018) (considering a claim of constitutional error and holding that the failure to preserve an error, even structural error, forfeits the right to raise the claim on appeal). It is within the court's discretion to correct a forfeited error. *Id.* at 52, 412 P.3d at 49. "Before this court will correct a forfeited error, an appellant must demonstrate that: (1) there was an 'error'; (2) the error is 'plain[;]' . . . and (3) the error affected the defendant's substantial rights." *Id.* at 50, 412 P.3d at 48; *see also Miller v. State*, 121 Nev. 92, 99, 110 P.3d 53, 58 (2005) (stating it is the appellant's burden to demonstrate plain error).

Weber does not address the plain error standard in his appellate briefing and thus does not satisfy his burden of demonstrating that the alleged error was clear under current law from a casual inspection of the record and that the error affected his substantial rights. *See State v. Eighth Jud. Dist. Ct. (Doane)*, 138 Nev., Adv. Op. 90, 521 P.3d 1215, 1221 (2022) (recognizing the Nevada appellate courts “follow the principle of party presentation” and thus “rely on the parties to frame the issues for decisions and assign to courts the role of neutral arbiter of matters the parties present” (quoting *Greenlaw v. United States*, 554 U.S. 237, 243 (2008))); *Senjab v. Alhulaibi*, 137 Nev. 632, 633-34, 497 P.3d 618, 619 (2021) (“We will not supply an argument on a party’s behalf but review only the issues the parties present.”). Because Weber’s claim is forfeited and he has not demonstrated circumstances warranting our discretionary review, we

ORDER the judgment of conviction AFFIRMED.


_____, C.J.
Gibbons


_____, J.
Bulla


_____, J.
Westbrook

cc: Hon. James Todd Russell, District Judge
Karla K. Butko
Attorney General/Carson City
Carson City District Attorney
Carson City Clerk