

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

ALAN RICHARD MANN,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 89582-COA

**FILED**

**OCT 07 2025**

ELIZABETH A. BROWN  
CLERK OF SUPREME COURT  
BY *Melissa J. Sullivan*  
DEPUTY CLERK

*ORDER OF AFFIRMANCE*

Alan Richard Mann appeals from a judgment of conviction, entered pursuant to a jury verdict, of possession of a forged instrument, uttering a forged instrument, and establishing or possessing a financial forgery laboratory with the intent to commit an unlawful act. Second Judicial District Court, Washoe County; Lynne K. Jones, Chief Judge.

On the evening of January 1, 2023, Mann rented a motel room in Reno using two counterfeit \$50 bills. On January 2, 2023, one of the motel's owners discovered the \$50 bills were counterfeit and confronted Mann. Mann initially denied the bills were counterfeit, attempted to pay with a credit card, and then left the motel on foot. When the motel's other owner entered Mann's room to clean it, he found additional counterfeit bills and sheets of uncut counterfeit bills in a plastic bag on a nightstand. Responding officers with the Reno Police Department seized the two counterfeit \$50 bills and found the following evidence in the motel room: 18 sheets of uncut paper with counterfeit currency printed on both sides in \$50

and \$100 amounts; 6 cut counterfeit bills; a bottle of degreaser; and a bottle of fabric fuse quick bond adhesive.

Seventy-five days later, on March 17, 2023, a detective with the Washoe County Sheriff's Office (WCSO) happened upon Mann asleep in the driver's seat of a vehicle in a Walmart parking lot. The detective recognized Mann from the January 2nd incident and placed him under arrest. During an inventory search of the vehicle, officers found a large duffel bag in the trunk. Mann said the bag belonged to him and told the officers they could throw it away. The officers searched the duffel bag and found the following evidence: a laptop computer which was later determined to belong to Mann; security strips for \$50 and \$100 bills; a printer which contained a template for a \$50 bill; a currency scanner; colored pencils; pens; glue sticks; brushes; markers; double-sided tape; sanding blocks; acetone; and other chemicals. The officers also found a Georgia driver's license containing another's personal identifying information but depicting Mann's photograph. A subsequent forensic examination of the laptop yielded digital images of \$50 and \$100 bills. The WCSO detective later questioned Mann. During questioning, Mann admitted to leaving the Reno motel in January after being confronted by the motel owner. Mann also admitted that he "dabbles" with counterfeiting and discussed the process for manufacturing counterfeit bills.

The State initially charged Mann in separate cases: possession of a forged instrument and uttering a forged instrument for the January 2nd incident (the forged instrument case); and establishing or possessing a financial forgery laboratory with the intent to commit an unlawful act and

obtaining and using the personal identity information of another to harm or for an unlawful purpose for the March 17th incident (the forgery lab case). The State filed a motion to join the two cases for trial, which Mann opposed. The district court granted the State's motion, finding that the forged instrument case and the forgery lab case shared enough common features to support an inference that the crimes were committed pursuant to a common scheme and that evidence from the forged instrument case would be admissible in the forgery lab case pursuant to NRS 48.045(2) as relevant, other act evidence demonstrating a common scheme or plan. The State subsequently filed an amended information with the joined charges; the State did not proceed on the charge that Mann obtained and used the personal identifying information of another to harm or for an unlawful purpose. The jury convicted Mann on the remaining three counts.

On appeal, Mann argues the district court abused its discretion by joining the two cases for trial. Mann argues the forged instrument case and the forgery lab case were not close in time and involved different conduct. Mann argues that because there was a 75-day gap between the two cases, they were too remote to be joined. He further argues the conduct in the two cases was not identical and did not utilize an identical modus operandi. Mann additionally argues that the probative value of the evidence regarding the forged instrument case was substantially outweighed by the danger of unfair prejudice because the joinder allowed the jury to use the alleged conduct as propensity evidence, thereby reducing the State's burden of proof.

We review a district court's decision to join offenses in a single charging document for an abuse of discretion. *See Farmer v. State*, 133 Nev. 693, 701, 405 P.3d 114, 122 (2017). This court reviews the exercise of that discretion "by determining whether a proper basis for the joinder existed and, if so, whether unfair prejudice nonetheless mandated separate trials." *Rimer v. State*, 131 Nev. 307, 320, 351 P.3d 697, 707 (2015).

NRS 174.155, which addresses joinder of charging documents, provides in pertinent part that a court may order two or more indictments or informations to be tried together "if the offenses . . . could have been joined in a single indictment or information. Under NRS 173.115, a court may join separate offenses if they are (1) "[b]ased on the same act or transaction" or (2) "[b]ased on two or more acts or transactions connected together or *constituting parts of a common scheme* or plan." (Emphasis added.) Separate offenses are part of a "common scheme" when they "share features idiosyncratic in character." *Farmer*, 133 Nev. at 698, 405 P.3d at 120 (internal quotation marks omitted).

For separate offenses to be joined under a common scheme theory, the offenses must share more than "some trivial elements," meaning "the offenses share a concurrence of common features as to support the inference that they were committed pursuant to a common design." *Id.* at 699, 405 P.3d at 120-21. These features may include "(1) degree of similarity of offenses; (2) degree of similarity of victims; (3) temporal proximity; (4) physical proximity; (5) number of victims; and (6) other context-specific features." *Id.* (internal citations omitted).

In granting the State's motion to join the cases, the district court determined the counts in the forged instrument case and the forgery lab case shared enough common features to support the inference they were committed pursuant to a common scheme. We agree. While the forged instrument case and the forgery lab case were temporally and physically distinct, the two cases shared enough common features to support an inference that the crimes were committed pursuant to a common scheme to manufacture and pass counterfeit \$50 and \$100 bills. In both the forged instrument case and the forgery lab case, Mann possessed various items associated with creating counterfeit \$50 and \$100 bills, including paper, security strips, chemicals, and other tools associated with counterfeiting.

However, even if a proper basis for joinder exists, joinder is improper if it creates manifest prejudice against the defendant. *Rimer*, 131 Nev. at 323-24, 351 P.3d at 709 (providing that severance is required if "[t]he simultaneous trial of the offenses [would] render the trial fundamentally unfair" (quotation marks omitted)). The underlying concerns are that "the jury may . . . cumulate the evidence against" the person charged with a number of offenses, thus "lessen[ing] the presumption of innocence," or that the "evidence of guilt on one count may spillover to other counts, and lead to a conviction . . . even though the spillover evidence would have been inadmissible at a separate trial," or that the "defendant may wish to testify in his or her own defense on one charge but not on another." *Id.* at 323, 351 P.3d at 709 (internal quotation marks omitted).

In this case, Mann's claim of prejudice is very general; at base, Mann appears to assert that the joinder of the two cases inherently prejudiced the jury's ability to render a verdict based on the evidence. But each of the charges was supported by independent evidence, which included all the aforementioned physical evidence as well as Mann's own admission that he passed the counterfeit \$50 bills at the motel and his statements to the WCSO detective detailing his prior experience with counterfeiting currency. Given that each of the charges was strong, Mann failed to demonstrate a joint trial would be manifestly prejudicial. Therefore, we conclude the district court did not abuse its discretion in granting the motion to join the two cases, and we

ORDER the judgment of conviction AFFIRMED.

  
\_\_\_\_\_, C.J.  
Bulla

  
\_\_\_\_\_, J.  
Gibbons

  
\_\_\_\_\_, J.  
Westbrook

cc: Hon. Lynne K. Jones, Chief Judge  
Washoe County Alternate Public Defender  
Attorney General/Carson City  
Washoe County District Attorney  
Washoe District Court Clerk