

IN THE SUPREME COURT OF THE STATE OF NEVADA

NOE MARTINEZ,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 47225

**FILED**

MAY 30 2008

TRACIE K. LINDEMAN  
CLERK OF SUPREME COURT  
BY S. Young  
DEPUTY CLERK

ORDER OF REVERSAL AND REMAND

This is an appeal from a judgment of conviction, upon a jury verdict, of first-degree murder with the use of a deadly weapon (count one), and attempted murder with the use of a deadly weapon (count two). Eighth Judicial District Court, Clark County; Joseph T. Bonaventure, Judge.

The district court sentenced Noe Martinez on count one to life in the Nevada State Prison with minimum parole eligibility in 20 years, plus an equal and consecutive term for the deadly weapon enhancement. As to count two, the district court sentenced Martinez to a maximum of 192 months, with minimum parole eligibility in 43 months, plus an equal and consecutive term for the deadly weapon enhancement. Count two is to run concurrent with count one, with 314 days credit for time served. The parties are familiar with the facts and procedural history of this case; therefore, we do not recount them in this order except as is necessary for our disposition.

The letter regarding Martinez's parenting skills

Martinez argues that the district court erred when, over his objection, it permitted the State to ask Edith Lillian Murietta if she had written a letter accusing Martinez of not being a good father. We agree.