

IN THE SUPREME COURT OF THE STATE OF NEVADA

MOUFASSA KALIE HAULCY.
Appellant.
vs.
THE STATE OF NEVADA.
Respondent.

No. 88532

FILED

MAY 29 2025

ELIZABETH A. BRC
CLERK OF SUPREME
BY [Signature]
DEPUTY CLERK

ORDER OF AFFIRMANCE

This is an appeal from a judgment of conviction, pursuant to a jury verdict, of first-degree murder with use of a deadly weapon, conspiracy to commit murder, and robbery with use of a deadly weapon. Eighth Judicial District Court, Clark County; Carli Lynn Kierny, Judge.

Appellant Moufassa Haulcy raises four issues on appeal, none of which warrant reversal. First, Haulcy argues that there was insufficient evidence to support the convictions for first-degree murder and conspiracy to commit murder, and that the evidence instead shows that he committed voluntary manslaughter while trying to escape from Joseph Harrison, who died as a result of multiple gunshot wounds. We disagree. When reviewing the sufficiency of the evidence supporting a criminal conviction, we consider “whether, after viewing the evidence in the light most favorable to the prosecution, *any* rational trier of fact could have found the essential elements of the crime beyond a reasonable doubt.” *McNair v. State*, 108 Nev. 53, 56, 825 P.2d 571, 573 (1992).

The State presented surveillance video capturing the fight between Haulcy and Harrison followed by Haulcy's retreat to his upstairs apartment. And the State presented eyewitness testimony from a witness who observed the fight and all the events leading up to the shooting, including Haulcy meeting with co-conspirator Randy Ramsey outside of the

apartment complex where Ramsey handed Haulcy a gun. The testimony and video evidence showed that twelve minutes after the fight ended, as the witness and Harrison waited in the alley for Harrison's rideshare, Haulcy returned to the alley and shot Harrison as Harrison leaned on a car with his phone in his hand. After Harrison collapsed onto the ground, Haulcy pistol-whipped Harrison and shot him several more times. The surveillance video further showed that after the shooting Haulcy and Ramsey picked up the bullet casings, stole Harrison's phone, and fled the scene together. On this evidence, a rational juror could have found willfulness, deliberation, and premeditation beyond a reasonable doubt to support Haulcy's first-degree murder conviction. NRS 200.030(1); *Hern v. State*, 97 Nev. 529, 532, 635 P.2d 278, 280 (1981) (observing that this court will not "interfere with a jury determination which is supported by substantial evidence" and affirming a first-degree murder conviction). As for the conspiracy conviction, the foregoing evidence and a detective's testimony that Haulcy called Ramsey after the fight but before the shooting support that Haulcy and Ramsey formed an agreement to murder Harrison and then carried it out. *Bolden v. State*, 121 Nev. 908, 912, 124 P.3d 191, 194 (2005) (defining a criminal conspiracy as "an agreement between two or more persons for an unlawful purpose."). Accordingly, we conclude sufficient evidence supports both convictions.

Second, Haulcy argues that the district court violated his Sixth Amendment right to confrontation by admitting an audio recording of his interrogation by two detectives because the State did not call as a witness one of the detectives who had questioned him. We disagree. We review a district court decision to admit evidence for an abuse of discretion. *McLellan v. State*, 124 Nev. 263, 267, 182 P.3d 106, 109 (2008). "The Confrontation

Clause . . . does not bar the use of testimonial statements for purposes other than establishing the truth of the matter asserted.” *Belcher v. State*, 136 Nev. 261, 275, 464 P.3d 1013, 1028-29 (2020) (internal quotation marks omitted). Here, Haulcy provided his version of the events surrounding Harrison’s death in direct response to the detective’s questions. We agree with the State that the detective’s questions provided the necessary context for Haulcy’s answers and were not offered to prove the truth of the questions themselves. Moreover, the district court instructed the jury that the detective’s “questions and statements are not to be taken for the truth of the matter asserted. They are only there to supply meaning and context to defendant’s answers.” Thus, we conclude that the district court did not abuse its discretion and Haulcy’s confrontation argument fails.

Third, Haulcy challenges four jury instructions, but this court has on several occasions reaffirmed the propriety of all four instructions, and Haulcy does not present any compelling reasons to overturn that controlling precedent. *Noonan v. State*, 115 Nev. 184, 189-90, 980 P.2d 637, 640 (1999) (upholding reasonable doubt instruction in NRS 175.211); *Nika v. State*, 124 Nev. 1272, 1283-87, 198 P.3d 839, 847-50 (2008) (upholding premeditation and deliberation instruction); *Guy v. State*, 108 Nev. 770, 777, n. 2, 839 P.2d 578, 582 (1992) (approving of the use of “heart fatally bent on mischief” to define malice aforethought and “abandoned and malignant heart” to define implied malice under NRS 200.020(2)); *Leonard v. State*, 114 Nev. 1196, 1209, 969 P.2d 288, 296 (1998) (upholding equal-and-exact justice instruction). Therefore, these challenges also fail.


Last, because Haulcy has not shown any deficiencies to cumulate, *Burnside v. State*, 131 Nev. 371, 407, 352 P.3d 627, 651 (2015)


(noting that cumulative error claims require “multiple errors to cumulate”),
Haulcy’s claim of cumulative error likewise fails.

Accordingly, we

ORDER the judgment of the district court AFFIRMED.

_____, J.
Pickering

_____, J.
Cadish

_____, J.
Lee

cc: Hon. Carli Lynn Kierny, District Judge
The Law Office of Michael A. Troiano
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk