

SUPREME COURT OF NEVADA

Quinn Alexander Zeger v. State

Zeger v. State · No. 83734 · Decided November 3, 2022

SUMMARY

The Nevada Supreme Court reversed Quinn Zeger's conviction for voluntary manslaughter and remanded the case for further proceedings. The court held that body-worn-camera statements by the deceased were testimonial hearsay protected by the Confrontation Clause and that the defense could not open the door to admitting otherwise inadmissible testimonial hearsay. The court further concluded that the constitutional error was not harmless beyond a reasonable doubt.

CASE DETAILS

COURT	Supreme Court of Nevada
WRITING FOR THE COURT	Per curiam; Hardesty; Stiglich; Herndon
JURISDICTION	Nevada
DECIDED	November 3, 2022
DOCKET	83734
DISPOSITION	reversed_and_remanded
PROCEDURAL POSTURE	Appeal from a judgment of conviction for voluntary manslaughter entered after a jury verdict.
STANDARD OF REVIEW	Potential Confrontation Clause violations are reviewed de novo. A federal constitutional error is harmless only if the State proves beyond a reasonable doubt that the error did not contribute to the verdict.
PRECEDENTIAL VALUE	Published and precedential
PARTIES	Quinn Alexander Zeger v. State of Nevada

TOPICS

- sixth amendment
- hearsay
- criminal procedure
- harmless error
- appellate procedure

PRACTICE AREAS

- criminal procedure
- constitutional law
- evidence
- appellate procedure

QUESTIONS PRESENTED

1. Whether Beal's statements in the police body-worn-camera footage were testimonial under the Confrontation Clause.
2. Whether the defense could open the door to admission of otherwise inadmissible testimonial hearsay.
3. Whether admission of the footage was harmless beyond a reasonable doubt.
4. Whether the evidence was sufficient to support Zeger's voluntary-manslaughter conviction without the footage.

HOLDINGS

1. The conversation between Officer Contreras and Beal was testimonial because Beal made the statements in response to police questioning under circumstances in which an objective witness would reasonably believe the statements would be available for use at a later trial.
2. A defense presentation cannot, by itself, permit admission of otherwise inadmissible testimonial hearsay in violation of the Confrontation Clause.
3. The erroneous admission of the body-worn-camera footage was not harmless beyond a reasonable doubt.
4. The evidence was legally sufficient because a rational trier of fact could have found Zeger guilty of voluntary manslaughter based on the trial evidence and testimony without the footage.

KEY QUOTATIONS

“Moreover, the defense cannot open the door to otherwise inadmissible hearsay evidence being admitted.” (3)

“Because the overall strength of the State’s case without the body-worn camera footage is weak, we cannot conclude, beyond a reasonable doubt, that the body-worn camera footage did not contribute to Zeger’s conviction.” (4)

FACTUAL BACKGROUND

Police body-worn-camera footage captured a conversation between Las Vegas Metropolitan Police Department Officer Juan Contreras and Rodney Beal before Beal's death. Beal answered Officer Contreras's questions after paramedics had seen him, while he was lying alone beside a building, and referred to the events as having occurred "the other night." The State relied repeatedly on the footage in closing argument, and the court concluded that without it the State lacked direct evidence that Zeger attacked Beal within the State's alleged timeline.

PROCEDURAL HISTORY

Zeger was charged with murder in connection with Rodney Beal's death. Before trial, the district court granted Zeger's motion to exclude police body-worn-camera footage as testimonial hearsay, but during trial it admitted and played the footage after determining that a defense expert had opened the door. The jury convicted Zeger of voluntary manslaughter, and the Nevada Supreme Court reversed and remanded.

DISPOSITION

reversed_and_remanded

REMAND INSTRUCTIONS

The judgment of conviction is reversed and the matter is remanded to the district court.

CASES CITED

- Chavez v. State, 125 Nev. 328, 339, 213 P.3d 476, 484 (2009)
- Vega v. State, 126 Nev. 332, 338-39, 236 P.3d 632, 637 (2010)
- Medina v. State, 122 Nev. 346, 355, 143 P.3d 471, 476-77 (2006)
- Harkins v. State, 122 Nev. 974, 986-87, 143 P.3d 706, 714 (2006)
- Hemphill v. New York, 142 S. Ct. 681, 692 (2022)
- Newson v. State, 136 Nev. 181, 188, 462 P.3d 246, 252 (2020)

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