

IN THE SUPREME COURT OF THE STATE OF NEVADA


NARCISO TORRES, JR.,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 45982

FILED

MAR 27 2006

ORDER OF AFFIRMANCE

JANETTE M. BLOOM
CLERK OF SUPREME COURT
BY 
CHIEF DEPUTY CLERK

This is an appeal from a judgment of conviction, pursuant to a jury verdict, of two counts of trafficking in a controlled substance. Second Judicial District Court, Washoe County; Connie J. Steinheimer, Judge. The district court sentenced appellant Narciso Torres to two consecutive prison terms of 10 to 25 years.

Torres contends that the evidence presented at trial was insufficient to support the jury's finding of guilt. Our review of the record on appeal, however, reveals sufficient evidence to establish guilt beyond a reasonable doubt as determined by a rational trier of fact.¹

In particular, we note that an undercover detective told an individual named Roger Wolf that he wanted to buy an ounce of methamphetamine. Wolf left the immediate vicinity and returned a few moments later in a vehicle registered to and driven by Torres. Wolf emerged from Torres' car and gave the detective the drugs in exchange for \$900, and then walked back to Torres' car. Upon a signal from the detective, police officers stopped Torres before he drove out of the parking

¹See Wilkins v. State, 96 Nev. 367, 609 P.2d 309 (1980); see also Origel-Candido v. State, 114 Nev. 378, 381, 956 P.2d 1378, 1380 (1998).

lot where the transaction occurred. When the officers stopped Torres, he had the \$900 in his hand, and officers discovered another ounce of methamphetamine under the driver's seat.

The jury could reasonably infer from the evidence presented that Torres was guilty of two counts of trafficking. It is for the jury to determine the weight and credibility to give conflicting testimony, and the jury's verdict will not be disturbed on appeal where, as here, substantial evidence supports the verdict.²

Having considered Torres' contention and concluded that it is without merit, we

ORDER the judgment of conviction AFFIRMED.

Douglas, J.
Douglas

Becker, J.
Becker

Parraguirre, J.
Parraguirre

cc: Hon. Connie J. Steinheimer, District Judge
Bruce D. Voorhees
Attorney General George Chanos/Carson City
Washoe County District Attorney Richard A. Gammick
Washoe District Court Clerk

²See Bolden v. State, 97 Nev. 71, 624 P.2d 20 (1981); see also McNair v. State, 108 Nev. 53, 56, 825 P.2d 571, 573 (1992).