

IN THE SUPREME COURT OF THE STATE OF NEVADA

GEORGE TRAVIS HALL,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 46815

FILED

MAR 08 2007

ORDER OF AFFIRMANCE

JANETTE M. BLOOM
CLERK OF SUPREME COURT
BY *[Signature]*
CHIEF DEPUTY CLERK

This is an appeal from a judgment of conviction, pursuant to a jury verdict, of three counts of lewdness with a child under the age of 14 and one count of sexual assault of a child. Second Judicial District Court, Washoe County; Janet J. Berry, Judge. The district court sentenced appellant George Travis Hall to a prison term of life with parole eligibility after 20 years for sexual assault and to a prison term of life with parole eligibility after 10 years for each count of lewdness. The district court ordered the sentence for sexual assault to run consecutive to one of the sentences for lewdness and the remainder of the sentences to run concurrently.

Hall first 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

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).

In particular, we note that the victim testified that, in more than one instance, Hall forced her to touch his penis, touched her vaginal area with his hand and his penis, and forced her to perform fellatio.

The jury could reasonably infer from the evidence presented that Hall committed three acts of lewdness and also sexually assaulted the victim. Hall argues that the victim's testimony was incredible, but we note that the victim was subject to extensive cross-examination, and it is for the jury to determine the weight and credibility to give conflicting testimony. The jury's verdict will not be disturbed on appeal where, as here, substantial evidence supports the verdict.² Moreover, we note that the uncorroborated testimony of a sexual assault victim is sufficient to sustain a conviction.³

Hall next contends that prosecutorial misconduct warrants a new trial. Specifically, Hall argues that the prosecutor goaded Hall into accusing other witnesses of lying.⁴ Our review of the record, however, shows that the questions by the prosecutor did not constitute misconduct,

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).


³See Washington v. State, 112 Nev. 1067, 1073, 922 P.2d 547, 551 (1996).

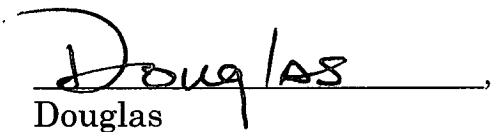
⁴See Daniel v. State, 119 Nev. 498, 519, 78 P.3d 890, 904 (2003) (holding prosecutors are prohibited "from asking a defendant whether other witnesses have lied or from goading a defendant to accuse other witnesses of lying, except where the defendant during direct examination has directly challenged the truthfulness of those witnesses").

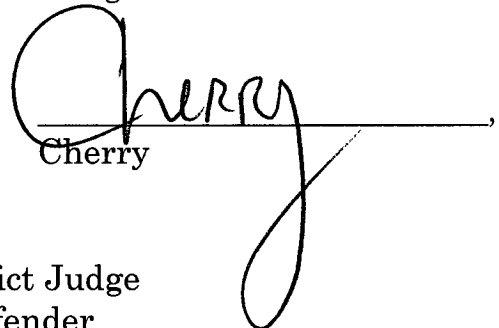
but were good-faith efforts to clarify Hall's testimony and the theory of the defense.⁵

Having considered Hall's contentions and concluded that they are without merit, we

ORDER the judgment of the district court AFFIRMED.


_____, J.
Gibbons


_____, J.
Douglas


_____, J.
Cherry

cc: Hon. Janet J. Berry, District Judge
Washoe County Public Defender
Attorney General Catherine Cortez Masto/Carson City
Washoe County District Attorney Richard A. Gammick
Washoe District Court Clerk

⁵See Pascua v. State, 122 Nev. ___, ___, 145 P.3d 1031, 1035 (2006) (holding that a prosecutor is permitted to inquire into the veracity of witnesses in an effort to rebut the defendant's theory of the case).