

IN THE SUPREME COURT OF THE STATE OF NEVADA

DERRICK FARR,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 47077

FILED

NOV 15 2006

ORDER OF AFFIRMANCE

JANETTE M. BLOOM
CLERK OF SUPREME COURT
BY *J. Richards*
CHIEF DEPUTY CLERK

This is an appeal from a judgment of conviction, pursuant to a jury verdict, of conspiracy to commit larceny (count I), gross misdemeanor unlawful taking of a motor vehicle (count II), conspiracy to commit robbery (count III), and robbery (count IV). Eighth Judicial District Court, Clark County; Joseph T. Bonaventure, Judge. The district court adjudicated appellant Derrick Farr as a habitual criminal and sentenced him to time served for counts I and II and two concurrent prison terms of 5 to 20 years for counts III and IV.

Farr contends that there is insufficient evidence supporting the convictions. Specifically, Farr argues that the alleged victim's testimony that Farr and his co-defendant robbed him and took his car was uncorroborated and contradicted by defense witness, Estelle Golightly. At trial, Golightly, a self-admitted prostitute and drug addict, testified that the victim let her use his car in exchange for sex. Our review of the record

on appeal reveals sufficient evidence to establish guilt beyond a reasonable doubt as determined by a rational trier of fact.¹

In particular, we note that the victim testified that he stopped his vehicle on the roadside to assist a stranded bicyclist who was calling for help. After the victim exited his vehicle to check the bicycle tire, Farr repeatedly hit him in the face knocking him to the ground. While the victim was on the ground, Farr's codefendant took the victim's wallet and keys. Farr, his codefendant, and a female then got into the victim's vehicle and drove away.

Las Vegas Police Officer Christian Jackson responded to the area where the robbery occurred. Approximately five minutes later, he observed the victim's vehicle and conducted a felony car stop. Inside the vehicle were Farr, his codefendant, and Estelle Golightly. Officer Jackson testified that Farr refused to comply with his commands. He attempted to run from police, but was caught hiding in a nearby apartment complex.

Although Golightly testified that the victim let her use his car in exchange for sex, the jury could reasonably infer from the evidence presented that Farr conspired to and did, in fact, rob the victim and take his car.² It is for the jury to determine the weight and credibility to give

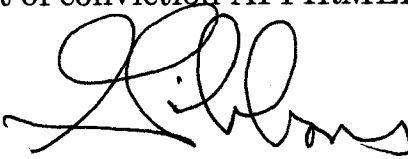
¹See Wilkins v. State, 96 Nev. 367, 609 P.2d 309 (1980); see also Origel-Candido v. State, 114 Nev. 378, 381, 956 P.2d 1378, 1380 (1998).


²NRS 205.220; NRS 199.480; NRS 205.2715; NRS 200.380.

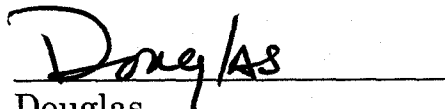
conflicting testimony, and the jury's verdict will not be disturbed on appeal where, as here, substantial evidence supports the verdict.³

Having considered Farr's contention and concluded that it lacks merit, we

ORDER the judgment of conviction AFFIRMED.


_____, J.
Gibbons


_____, J.
Maupin


_____, J.
Douglas

cc: Hon. Joseph T. Bonaventure, District Judge
Gabriel L. Grasso
Attorney General George Chanos/Carson City
Clark County District Attorney David J. Roger
Clark County Clerk

³See 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).