

IN THE SUPREME COURT OF THE STATE OF NEVADA

CHARLES EDWARD WATTS,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 47184

FILED

AUG 24 2006

ORDER OF AFFIRMANCE

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

This is an appeal from a judgment of conviction, entered pursuant to a jury verdict, of one count of trafficking in a controlled substance and one count of felony escape. Eighth Judicial District Court, Clark County; Valorie Vega, Judge. The district court sentenced appellant Charles Edward Watts to serve a prison term of 48 to 120 months for trafficking and a consecutive prison term of 12 to 30 months for escape.

Watts contends that the evidence presented at trial was insufficient to support his convictions for trafficking in a controlled substance and escape. Our review of the record on appeal, however, reveals sufficient evidence to establish Watts's guilt beyond a reasonable doubt as determined by a rational trier of fact.¹

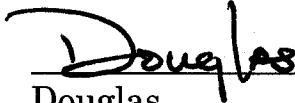
In particular, we note that Officer James Parker observed Watts holding what appeared to be a plastic bag containing a white substance. Watts ran from Officer Parker and threw something under a parked van. Sergeant Prokopios Ziros captured Watts and placed him in handcuffs. Sergeant Ziros found a plastic bag containing a substance which field-tested positive for methamphetamine near the parked van.


¹See McNair v. State, 108 Nev. 53, 56, 825 P.2d 571, 573 (1992) (citing Jackson v. Virginia, 443 U.S. 307, 319 (1979)).

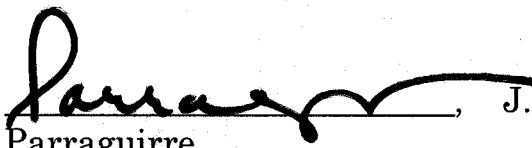
After Watts was arrested for possession of methamphetamine, he broke free of Officer Parker's grip and ran a short distance before being recaptured. Criminalist Thomas Melville tested and weighed the contents of the plastic bag and determined that it contained 15.91 grams of methamphetamine.

We conclude that a rational juror could reasonably infer from the evidence adduced at trial that Watts was trafficking in a controlled substance and escaped after the police took him into custody.² 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.³ Accordingly, we

ORDER the judgment of conviction AFFIRMED.


_____, J.
Douglas


_____, J.
Becker


_____, J.
Parraguirre

²See NRS 212.090; NRS 453.3385(2).

³See Bolden v. State, 97 Nev. 71, 624 P.2d 20 (1981); see also McNair, 108 Nev. at 56, 825 P.2d at 573.

cc: Hon. Valorie Vega, District Judge
Clark County Public Defender Philip J. Kohn
Attorney General George Chanos/Carson City
Clark County District Attorney David J. Roger
Clark County Clerk