

IN THE SUPREME COURT OF THE STATE OF NEVADA


SAUL BELTRAN,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 47797

**FILED**

MAR 08 2007

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 one count of grand larceny and one count of burglary. Third Judicial District Court, Churchill County; David A. Huff, Judge. The district court sentenced appellant Saul Beltran to a prison term of 12 to 36 months for grand larceny and a concurrent prison term of 16 to 72 months for burglary.

Beltran 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.<sup>1</sup>

In particular, we note that the cashier at The Gas Store testified that Beltran came into the store and said that he was thinking about robbing her. Beltran left and then came back and took money from the cash register and a cash box beneath the counter. The cashier testified that she was acquainted with Beltran prior to the robbery. Further, two employees at a neighboring casino testified that they

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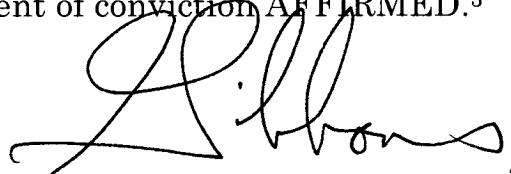
<sup>1</sup>See Wilkins v. State, 96 Nev. 367, 609 P.2d 309 (1980); see also Origel-Candido v. State, 114 Nev. 378, 381, 956 P.2d 1378, 1380 (1998).


observed Beltran on the morning of the robbery walking through the casino.


Despite the fact that the cashier initially gave conflicting statements and Beltran's sister and brother-in-law testified that Beltran was at their house at the time of the robbery, the jury could reasonably infer from the evidence presented that Beltran entered the Gas Store with the intent to steal money and did, in fact, commit robbery. 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.<sup>2</sup>

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

ORDER the judgment of conviction AFFIRMED.<sup>3</sup>

  
\_\_\_\_\_, J.  
Gibbons

  
\_\_\_\_\_, J.  
Douglas

  
\_\_\_\_\_, J.  
Cherry

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<sup>2</sup>See 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).

<sup>3</sup>We have reviewed the document that appellant has submitted in proper person to the clerk of this court in this matter, and we conclude that no relief based upon that submission is warranted.

cc: Hon. David A. Huff, District Judge  
Churchill County Public Defender  
Attorney General Catherine Cortez Masto/Carson City  
Churchill County District Attorney  
Churchill County Clerk