

IN THE SUPREME COURT OF THE STATE OF NEVADA

DARREN LAJUAN JOHNSON A/K/A  
DARREN JOHNSON,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 48926

**FILED**

JAN 04 2008

TRACIE K. LINDEMAN  
CLERK OF SUPREME COURT  
BY S. Young  
DEPUTY CLERK

ORDER OF AFFIRMANCE

This is an appeal from a judgment of conviction, pursuant to a jury verdict, of one count of burglary. Eighth Judicial District Court, Clark County; Joseph T. Bonaventure, Judge. The district court sentenced appellant Darren Lajuan Johnson to serve a prison term of 12-36 months.

Johnson contends that the evidence presented at trial was insufficient to support the jury's finding that he was guilty beyond a reasonable doubt. Specifically, Johnson claims that the State presented conflicting testimony and that he "was able to get free DVD's [sic] from his sister, so he had no reason to steal them."

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 manager of Blockbuster Video, located at 6160 Tropicana, testified that he observed Johnson breaking off the locks and removing DVDs from their cases. The manager stated that when the police officers arrived at the scene, Johnson

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<sup>1</sup>See Mason v. State, 118 Nev. 554, 559, 51 P.3d 521, 524 (2002) (quoting Jackson v. Virginia, 443 U.S. 307, 319 (1979)).

“started swearing,” yelled to his accomplice, and ran towards an exit, only to be apprehended by the police. Broken locks from the DVD cases were found in Johnson’s pockets. Officer Leon Austin of the Las Vegas Metropolitan Police Department testified that after Johnson waived his rights pursuant to Miranda,<sup>2</sup> he confessed to the crime. According to Officer Austin, Johnson “stated he had gone inside the Blockbuster Video to steal a DVD movie. He stated he didn’t have any money on him, that there was a guy . . . that he knew who taught him how to break the security tabs off the DVDs.” Additionally, along with no money, Johnson did not have a Blockbuster rental card in his possession. Johnson testified at his trial, and on cross-examination, admitted to writing a letter to the Blockbuster employees more than two weeks after his arrest, wherein he apologized for his wrongdoing.

Based on the above, we conclude that the jury could reasonably infer from the evidence presented that Johnson committed the crime beyond a reasonable doubt.<sup>3</sup> 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, sufficient evidence supports the verdict.<sup>4</sup> Moreover, we note that circumstantial evidence

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<sup>2</sup>Miranda v. Arizona, 384 U.S. 436 (1966).

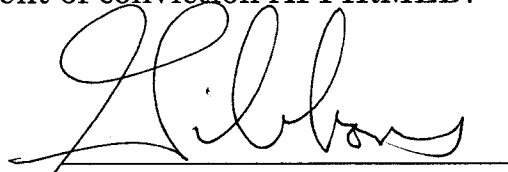
<sup>3</sup>See NRS 205.060(1) (burglary consists of entry into a building “with the intent to commit grand or petit larceny”).

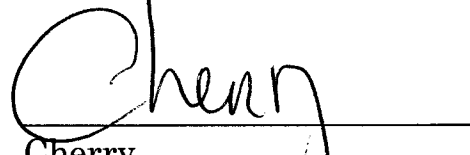
<sup>4</sup>See Bolden v. State, 97 Nev. 71, 624 P.2d 20 (1981); see also McNair v. State, 108 Nev. 53, 56, 825 P.2d 571, 573 (1992).


alone may sustain a conviction.<sup>5</sup> Therefore, we conclude that the State presented sufficient evidence to support the jury's verdict

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

ORDER the judgment of conviction AFFIRMED.<sup>6</sup>

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

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

  
\_\_\_\_\_, J.  
Saitta

cc: Eighth Judicial District Court Dept. 6, District Judge  
Amesbury & Schutt  
Darren Lajuan Johnson  
Attorney General Catherine Cortez Masto/Carson City  
Clark County District Attorney David J. Roger  
Eighth District Court Clerk

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<sup>5</sup>See Buchanan v. State, 119 Nev. 201, 217, 69 P.3d 694, 705 (2003).

<sup>6</sup>Because Johnson is represented by counsel in this matter, we decline to grant him permission to file documents in proper person in this court. See NRAP 46(b). Accordingly, this court shall take no action and shall not consider the proper person documents Johnson has submitted to this court in this matter.