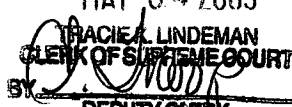


IN THE SUPREME COURT OF THE STATE OF NEVADA

RICHARD NAVARRO, AKA RICHARD
THOMAS NAUARRO,
Appellants,
vs.
THE STATE OF NEVADA,
Respondent.

No. 51950

FILED

MAY 04 2009
TRACIE A. LINDEMAN
CLERK OF SUPREME COURT
BY 
DEPUTY CLERK

ORDER OF AFFIRMANCE

This is an appeal from a judgment of conviction, pursuant to a jury verdict, of two counts each of burglary, possession of stolen property and obtaining money under false pretenses. Eighth Judicial District Court, Clark County; Stewart L. Bell, Judge. The district court adjudicated appellant Richard Navarro a small habitual criminal and sentenced him to serve six concurrent prison terms of 96 to 240 months.

Navarro contends there was insufficient evidence adduced at trial to prove him guilty beyond a reasonable doubt. Specifically, Navarro claims that there was insufficient evidence to prove that he “had knowledge that the property was stolen, or that he possessed any criminal intent.”

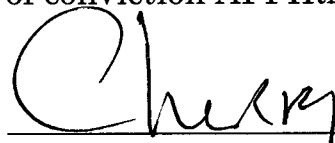
When reviewing a claim of insufficient evidence, this court must determine “whether, after viewing the evidence in the light most favorable to the prosecution, any rational [juror] could have found the essential elements of the crime beyond a reasonable doubt.” McNair v. State, 108 Nev. 53, 56, 825 P.2d 571, 573 (1992) (quoting Jackson v. Virginia, 443 U.S. 307, 319 (1979)). We conclude that the State presented


sufficient evidence to prove Navarro guilty of all the elements of the crimes of which he was convicted.

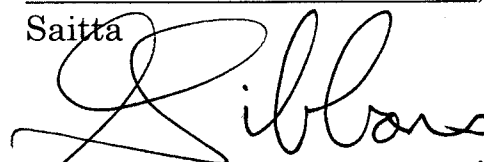
A witness testified that a day or two after the jewelry was stolen from the victim's home, Navarro gave her several pieces of jewelry, including a bracelet engraved with the victim's name. Further, the jury heard testimony that Navarro pawned a number of other pieces of the stolen jewelry at two pawnshops within a week of it being stolen. Although Navarro testified that he found the engraved bracelet on the ground outside a store, had no knowledge that the jewelry was stolen, and had pawned the jewelry as favors for two of his friends, it was for the jury to determine the weight and credibility of the conflicting testimony. See Bolden v. State, 97 Nev. 71, 73, 624 P.2d 20, 20 (1981); see also McNair, 108 Nev. at 56, 825 P.2d at 573. The evidence presented at trial was sufficient for a rational jury to determine Navarro knew that the jewelry was stolen when he carried the jewelry into the pawnshops and then received money in exchange. The jury's verdict will not be disturbed on appeal where, as here, sufficient evidence supports the verdict. Id.

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

ORDER the judgment of conviction AFFIRMED.


_____, J.
Cherry


_____, J.
Saitta


_____, J.
Gibbons

cc: Eighth Judicial District Court Dept. 7, District Judge
Thomas A. Ericsson, Chtd.
Attorney General Catherine Cortez Masto/Carson City
Clark County District Attorney David J. Roger
Eighth District Court Clerk