

IN THE SUPREME COURT OF THE STATE OF NEVADA

JAIME CISNEROS,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 55024

FILED

JUN 09 2010

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 grand larceny and robbery. Eighth Judicial District Court, Clark County; Valerie Adair, Judge.

Appellant Jaime Cisneros claims that the State presented insufficient evidence to support the jury's verdict, focusing on alleged inconsistencies in the victims' testimony. We disagree. Both victims made in-court identifications of Cisneros as the individual who stole six bottles of alcohol from their store and shoved past them to effectuate his escape with the merchandise. Based on that evidence, and the additional testimony establishing the value of the alcohol stolen and identifying Cisneros as the individual depicted in store surveillance footage, a rational juror could reasonably infer that Cisneros unlawfully took store property by means of force and that the property was valued at more than \$250. See Origel-Candido v. State, 114 Nev. 378, 381, 956 P.2d 1378, 1380 (1998); Jackson v. Virginia, 443 U.S. 307, 319 (1979); see also NRS 200.380(1) (defining robbery); NRS 205.220(1)(a) (defining grand larceny). 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. See Bolden v. State, 97 Nev. 71, 73, 624 P.2d 20, 20 (1981); see also McNair v. State, 108 Nev. 53, 56, 825 P.2d 571, 573 (1992).

Having considered Cisneros's claim and concluded that it lacks merit, we

ORDER the judgment of conviction AFFIRMED.

Cherry, J.
Cherry

Saitta, J.
Saitta

Gibbons, J.
Gibbons

cc: Hon. Valerie Adair, District Judge
Clark County Public Defender
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk