

IN THE SUPREME COURT OF THE STATE OF NEVADA

CHANTIL JVON LINZY,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 58046

FILED

MAY 09 2012

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY *R. Malone*
DEPUTY CLERK

ORDER OF AFFIRMANCE

This is an appeal from a judgment of conviction entered pursuant to a jury verdict of theft.¹ Eighth Judicial District Court, Clark County; Jessie Elizabeth Walsh, Judge.²

Appellant Chantil Jvon Linzy contends that insufficient evidence supports her conviction because the State failed to prove that she started her shift with the correct amount of money in her drawer, took the gaming chips, or that the \$998 discrepancy was the result of missing gaming chips. We disagree and conclude that the evidence, when viewed

¹The judgment of conviction erroneously states that Linzy was convicted pursuant to a guilty plea. Following this court's issuance of its remittitur, the district court shall enter a corrected judgment of conviction. See NRS 176.565 (providing that clerical errors in judgments may be corrected at any time); Buffington v. State, 110 Nev. 124, 126, 868 P.2d 643, 644 (1994) (explaining that the district court does not regain jurisdiction following an appeal until the supreme court issues its remittitur).


²Senior District Judge Jack Ames presided over the trial and District Judge Jessie Elizabeth Walsh presided over the sentencing hearing.


in the light most favorable to the State, is sufficient to establish guilt beyond a reasonable doubt as determined by a rational trier of fact. See Jackson v. Virginia, 443 U.S. 307, 319 (1979); Mitchell v. State, 124 Nev. 807, 816, 192 P.3d 721, 727 (2008).

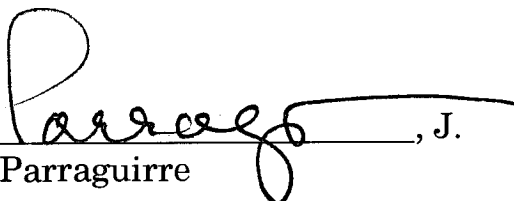
The jury heard testimony that Linzy was employed as a cage cashier and was responsible for a drawer containing \$150,000 in cash, gaming chips, and negotiable instruments. Before Linzy began her shift, two casino employees counted her drawer and verified that it contained \$150,000. When Linzy's shift ended, the drawer was short \$998. A surveillance operator reviewed video surveillance tapes that were recorded during Linzy's shift and determined that she had pocketed two chips worth \$500 each. The jury was shown the surveillance tapes.

We conclude that a rational juror could reasonably infer from this evidence that Linzy committed theft by taking two gaming chips worth \$500 each. See NRS 205.0832(1). 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. Bolden v. State, 97 Nev. 71, 73, 624 P.2d 20, 20 (1981); see also Buchanan v. State, 119 Nev. 201, 217, 69 P.3d 694, 705 (2003) (circumstantial evidence alone may sustain a conviction). Accordingly, we

ORDER the judgment of conviction AFFIRMED.


_____, J.
Douglas


_____, J.
Gibbons


_____, J.
Parraguirre

cc: Hon. Jessie Elizabeth Walsh, District Judge
Clark County Public Defender
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk