

IN THE SUPREME COURT OF THE STATE OF NEVADA

SHARRI MCHATTON A/K/A SHARI
LYNN MCHATTON,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 58582

FILED

DEC 07 2011

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY *A. General*
DEPUTY CLERK

ORDER OF AFFIRMANCE

This is an appeal from a judgment of conviction, pursuant to a jury verdict, of conspiracy to sell a controlled substance and sale of a controlled substance. Eighth Judicial District Court, Clark County; Jerry A. Wiese, Judge.

Appellant Sharri McHatton 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. See Wilkins v. State, 96 Nev. 367, 374, 609 P.2d 309, 313 (1980); see also Origel-Candido v. State, 114 Nev. 378, 381, 956 P.2d 1378, 1380 (1998); Jackson v. Virginia, 443 U.S. 307, 319 (1979).

In particular, the State presented the testimony of a confidential informant and her recorded interaction with McHatton during the controlled buy. Further, the State presented several police officers who witnessed the transaction. In addition, McHatton's testimony and theory of the case was severely impeached by the State's cross-examination and rebuttal witnesses.

We conclude that the jury could reasonably infer from the evidence presented that McHatton conspired to and did sell a controlled substance. See Bolden v. State, 97 Nev. 71, 73, 624 P.2d 20, 20 (1981) (holding that it is for the jury to determine the weight and credibility to give conflicting testimony, and the jury's verdict will not be disturbed where it is supported by substantial evidence); see also McNair v. State, 108 Nev. 53, 56, 825 P.2d 571, 573 (1992).

Having considered McHatton's arguments and concluded that they lack merit, we

ORDER the judgment of conviction AFFIRMED.

Cherry, J.
Cherry

Gibbons, J.
Gibbons

Pickering, J.
Pickering

cc: Hon. Jerry A. Wiese, District Judge
Robert E. Glennen, III
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk