

IN THE SUPREME COURT OF THE STATE OF NEVADA

SCOTT HENRY BEDARD,

No. 35428

Appellant,

vs.

THE STATE OF NEVADA,

Respondent.

**FILED**

OCT 03 2000

JANETTE M. BLOOM  
CLERK OF SUPREME COURT  
BY *J. R. [Signature]*  
CHIEF DEPUTY CLERK

ORDER OF AFFIRMANCE

This is an appeal from a judgment of conviction, pursuant to a jury verdict, of one count of resisting a public officer, a misdemeanor. The district court sentenced appellant to a term of 6 months in the county detention center.

Appellant first contends that the district court erred by refusing to allow defense counsel to review personnel records of the officers involved in the incident upon which the charges were based. We note, however, that the district court conducted an in camera review of the personnel files, as requested by defense counsel. Having reviewed the files, the district court was not obligated to provide the files to defense counsel unless the files contained information material to the defense. See United States v. Henthorn, 931 F.2d 29 (9th Cir. 1991). Appellant has failed even to allege that the files contained information material to the defense. We therefore conclude that the district court did not err.

Appellant next 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, 609 P.2d 309 (1980).

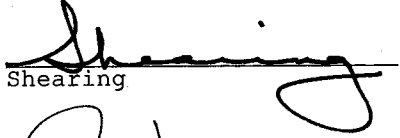
In particular, we note that evidence was presented that appellant struggled with an officer who was returning appellant to the court holding area.

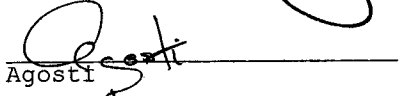
The jury could reasonably infer from the evidence presented that appellant willfully resisted a public officer who

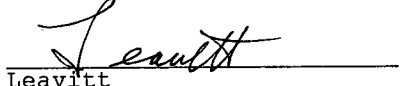
was discharging a legal duty of his office. See NRS 199.280. It is for the jury to determine the weight and credibility to give conflicting testimony, and the jury's verdict will not be disturbed on appeal where, as here, substantial evidence supports the verdict. See Bolden v. State, 97 Nev. 71, 624 P.2d 20 (1981).

Having concluded that appellant's contentions lack merit, we affirm the judgment of the district court.

It is so ORDERED.

  
Shearing J.

  
Agosti J.

  
Leavitt J.

cc: Hon. Jeffrey D. Sobel, District Judge  
Attorney General  
Clark County District Attorney  
Clark County Public Defender  
Clark County Clerk