

IN THE SUPREME COURT OF THE STATE OF NEVADA

ROBERT STANLEY SELIG,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 60180

**FILED**

NOV 14 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, pursuant to a jury verdict, of attempted invasion of the home.<sup>1</sup> Eighth Judicial District Court, Clark County; Michelle Leavitt, Judge.

Appellant Robert Stanley Selig's sole contention on appeal is that there was insufficient evidence to support his conviction. We review the evidence in the light most favorable to the prosecution and determine whether 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).

Here, the victim testified that Selig came to her house and started banging on the doors and windows demanding to be let in. She then saw Selig crouched down by the locked metal security door and heard

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<sup>1</sup>We note that the judgment of conviction contains a clerical error; it incorrectly states that the conviction is 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).

the sound of metal being pulled. After the incident, she discovered that the metal screen on the security door had been bent and damaged. A defense witness testified that she had visited the victim's home prior to the incident and the security door was already damaged.

We conclude that when viewed in the light most favorable to the prosecution a rational juror could infer from these circumstances that Selig attempted to invade the victim's home. NRS 193.330(1); NRS 205.067(1). "It is for the jury to determine the weight and credibility to give conflicting testimony" and this court will not disturb the jury's verdict where, as here, sufficient evidence supports the verdict. Fiegehen v. State, 121 Nev. 293, 306, 113 P.3d 305, 313 (2005); see also McNair, 108 Nev. at 56, 825 P.2d at 573 ("[I]t is the jury's function, not that of the court, to assess the weight of the evidence and determine the credibility of witnesses."). Therefore, we

ORDER the judgment of conviction AFFIRMED.

Douglas, J.  
Douglas

Gibbons, J.  
Gibbons

Parraguirre, J.  
Parraguirre

cc: Hon. Michelle Leavitt, District Judge  
McDonald Adras LLC  
Attorney General/Carson City  
Clark County District Attorney  
Eighth District Court Clerk