

IN THE SUPREME COURT OF THE STATE OF NEVADA

JOSE CARMEN CHAVEZ,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 63640

FILED

MAY 13 2014

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY *T. K. Lindeman*
DEPUTY CLERK

ORDER OF AFFIRMANCE

This is an appeal from a judgment of conviction, pursuant to a jury verdict, of carrying a concealed firearm, assault with a deadly weapon, coercion with a deadly weapon, and battery with a deadly weapon. Eighth Judicial District Court, Clark County; Michael Villani, Judge.

Appellant Jose Chavez argues that there was insufficient evidence to support his convictions. We disagree because the evidence, when viewed 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); *McNair v. State*, 108 Nev. 53, 56, 825 P.2d 571, 573 (1992).

Evidence was presented that Chavez had recently separated from his wife and believed that she was sleeping with other men. While staking out his wife's condo early in the morning, Chavez confronted the victim, who was taking a walk in the condo complex, and accused him of sleeping with his wife. Chavez grabbed the victim, pulled a gun from under his shirt, and forced the victim to walk up the stairs to Chavez's wife's condo. Chavez rang the doorbell repeatedly and yelled at his wife,

but his wife did not open the door. Chavez then forced the victim down the stairs, hit him with the gun, and punched him. The victim ran away and called the police after Chavez dropped the gun. Chavez's own statements to the police indicated that he wished to scare the victim with the gun. Chavez did not have a concealed weapons permit. We conclude that the jury could reasonably infer from the evidence presented that Chavez was carrying a concealed weapon and used that weapon to commit assault, coercion, and battery. See NRS 202.350(1)(d)(3); NRS 200.471; NRS 207.190; NRS 200.481. The verdict will not be disturbed on appeal, where, as here, substantial evidence supports Chavez's convictions. See *Bolden v. State*, 97 Nev. 71, 73, 624 P.2d 20, 20 (1981). Therefore, we

ORDER the judgment of conviction AFFIRMED.

Hardesty, J.
Hardesty

Douglas, J.
Douglas

Cherry, J.
Cherry

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