

IN THE SUPREME COURT OF THE STATE OF NEVADA

REGGIE G. LOGAN,

Appellant,

vs.

THE STATE OF NEVADA,

Respondent.

No. 35978

FILED

OCT 12 2000

JANETTE M. BLOOM
CLERK OF SUPREME COURT

BY *[Signature]*
CHIEF DEPUTY CLERK

ORDER OF AFFIRMANCE

This is an appeal from a judgment of conviction, pursuant to a jury verdict, of one count each of battery constituting domestic violence (count I), burglary (count II), preventing or dissuading a witness or victim from reporting a crime or commencing a prosecution (count III), coercion (count IV), second degree kidnaping (count V), and aggravated stalking (count VI). The district court sentenced appellant to serve a term of 6 months for count I, 22-96 months for count II to run concurrent to count I, 12-36 months for count III to run concurrent to count II, 13-60 months for count IV to run concurrent to count II, 35-156 months for count V to run consecutive to count II, and 13-60 months for count VI to run concurrent to count II. Appellant was given credit for 261 days time served.

Appellant contends the evidence presented at trial was insufficient to sustain the jury's finding of guilt regarding the counts of preventing or dissuading a witness or victim from reporting a crime or commencing a prosecution,

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coercion, second degree kidnaping, and aggravated stalking. We disagree.¹

When reviewing a claim of insufficient evidence, the relevant inquiry is "'whether, after viewing the evidence in the light most favorable to the prosecution, any rational trier of fact could have found the essential elements of the crime beyond a reasonable doubt.'" *Origel-Candido v. State*, 114 Nev. 378, 381, 956 P.2d 1378, 1380 (1998) (quoting *Jackson v. Virginia*, 443 U.S. 307, 319 (1979)) (emphasis in original omitted). Furthermore, "it is the jury's function, not that of the court, to assess the weight of the evidence and determine the credibility of witnesses." *McNair v. State*, 108 Nev. 53, 56, 825 P.2d 571, 573 (1992). In other words, a jury "verdict will not be disturbed upon appeal if there is evidence to support it. The evidence cannot be weighed by this court." *Azbill v. State*, 88 Nev. 240, 252, 495 P.2d 1064, 1072 (1972); see also Nev. Const. art. 6, § 4; NRS 177.025.

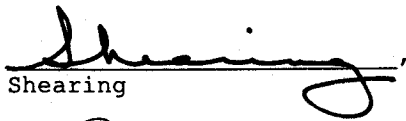
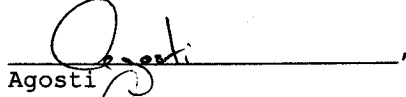

Our review of the record on appeal reveals sufficient evidence to establish guilt beyond a reasonable doubt as determined by a rational trier of fact for each of the challenged convictions. See Origel-Candido, 114 Nev. at 378, 956 P.2d at 1378. In particular, we note that on one occasion appellant chased the victim while both were driving separate

¹It must be noted that counsel's fast track statement is wholly inadequate. Counsel did not cite any authority, case law, or facts in support of his contentions. "It is appellant's responsibility to present relevant authority and cogent argument; issues not so presented need not be addressed by this court." *Maresca v. State*, 103 Nev. 669, 673, 748 P.2d 3, 6 (1987); see also NRAP 3C(e)(1)(vi). Nevertheless, we have considered appellant's contentions and concluded that they are without merit. Counsel is cautioned that, in the future, such dereliction of duty pursuant to the provisions of NRAP 3C may result in the imposition of monetary sanctions. See NRAP 3C(n).

vehicles and threatened to shoot her. Even after the victim obtained a restraining order, appellant harassed the victim by leaving threatening messages at her work and home. Appellant repeatedly threatened to kill the victim and terrorize her family if she reported any of the incidents involving appellant to the police. In addition to the verbal threats, an incident occurred where appellant seized the victim, threw her onto a bed and detained her against her will, punched her in the stomach, and destroyed personal property (a telephone) in an attempt to restrain her from seeking help or escaping. Therefore, based on the evidence, we conclude that a jury could reasonably infer that appellant was guilty beyond a reasonable doubt of the crimes for which he was convicted.

Having considered appellant's contentions and concluded that they lack merit, we affirm the judgment of conviction.

It is so ORDERED.

 Shearing	J.
 Agosti	J.
 Leavitt	J.

cc: Hon. Sally L. Loehrer, District Judge
Attorney General
Clark County District Attorney
Althea Gilkey
Clark County Clerk