

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

CARL DEAN EDWARDS,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 65529

**FILED**

FEB 04 2015

TRACIE K. LINDEMAN  
CLERK OF SUPREME COURT  
BY   
DEPUTY CLERK

*ORDER OF AFFIRMANCE*

This is an appeal from a judgment of conviction, pursuant to a jury verdict, of two counts of aggravated stalking. Eighth Judicial District Court, Clark County; Michelle Leavitt, Judge.

First, appellant argues 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 any rational trier of fact. See *Origel-Candido v. State*, 114 Nev. 378, 381, 956 P.2d 1378, 1380 (1998); *Jackson v. Virginia*, 443 U.S. 307, 319 (1979).


The jury heard testimony that appellant repeatedly threatened to kill both victims and threatened the lives of their children. Both victims testified that appellant's threats caused them to feel frightened because they believed appellant was capable of carrying out his threats. Based on the evidence presented at trial, we conclude that the


jury could reasonably find that appellant engaged in a course of conduct that caused the victims to be reasonably in fear of death or substantial bodily harm. See NRS 200.575(1), (2). 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, 73, 624 P.2d 20, 20 (1981); see also *McNair v. State*, 108 Nev. 53, 56, 825 P.2d 571, 573 (1992).

Second, appellant argues that the district court erred in denying his motion to appoint counsel made during the trial. Appellant's claim is without merit. Appellant elected to represent himself at trial and the district court appointed standby counsel to assist appellant. Midtrial, appellant asked the district court if his standby counsel could question one of the witnesses. During the lengthy discussion of this issue, appellant was adamant that he wanted to continue to represent himself. As appellant did not seek to have his standby counsel represent him at trial and had previously waived his right to counsel, there was no error in permitting appellant to continue to represent himself. See *Tanksley v. State*, 113 Nev. 997, 1000, 946 P.2d 148, 150 (1997) (acknowledging that "[a] criminal defendant has an unqualified right to represent himself at trial so long as his waiver of counsel is intelligent and voluntary" (quotation marks omitted)). Moreover, the district court properly denied appellant's request to have his standby counsel question a witness while appellant continued to represent himself. See *Wheby v. Warden*, 95 Nev.

567, 568-69, 598 P.2d 1152, 1153 (1979), *overruled on other grounds by Keys v. State*, 104 Nev. 736, 741 n.1, 766 P.2d 270, 273 n.1 (1988).

Having concluded appellant is not entitled to relief, we  
ORDER the judgment of the district court AFFIRMED.

  
\_\_\_\_\_, C.J.  
Gibbons

  
\_\_\_\_\_, J.  
Tao

  
\_\_\_\_\_, J.  
Silver

cc: Hon. Michelle Leavitt, District Judge  
Sanft Law, P.C.  
Attorney General/Carson City  
Clark County District Attorney  
Eighth District Court Clerk