

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

LAQUAN THOMPSON,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 66942

**FILED**

**MAY 19 2015**

TRAGIE 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 trafficking in a controlled substance and transportation of a controlled substance. Fourth Judicial District Court, Elko County; Nancy L. Porter, Judge.

Appellant Laquan Thompson contends there was insufficient evidence to prove he was in actual or constructive possession of a bag containing methamphetamine. We disagree.


We review the evidence in the light most favorable to the prosecution and determine whether “any rational trier of fact could have found the essential elements of the crime beyond a reasonable doubt.” *Jackson v. Virginia*, 443 U.S. 307, 319 (1979) (emphasis omitted); *Mitchell v. State*, 124 Nev. 807, 816, 192 P.3d 721, 727 (2008).


The jury heard testimony Thompson was sitting in the front passenger seat of a vehicle pulled over for failing to stop at a stop sign. After the occupant of the seat behind Thompson was found to have a methamphetamine pipe, Thompson and the rest of the vehicle’s occupants were ordered out of the vehicle. As Thompson was being pulled out of the vehicle by police officers, a large Ziploc bag was found between the front

passenger seat and the door. The bag contained several bags of methamphetamine with one weighing 39 grams and six others containing about 3.5 grams each. Thompson also had \$211 on his person and three empty thumb-size baggies in his pocket.

An officer testified he attempted to see if his hand would fit through the narrow opening from the back seat to the front seat on the side closest to the door, but even with nothing in his hand, the hand did not fit or barely fit through the opening. Further, the officers testified they did not see the rear passenger attempt to pass anything to Thompson prior to being removed from the vehicle. Based on this evidence, we conclude a rational juror could reasonably find Thompson possessed the methamphetamine. See NRS 453.321(1)(a); *Glispey v. Sheriff, Carson City*, 89 Nev. 221, 223-24, 510 P.2d 623, 624 (1973) (stating that "possession may be imputed when the contraband is found in a location which is immediately and exclusively accessible to the accused and subject to her dominion and control"). 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 its verdict. See *Bolden v. State*, 97 Nev. 71, 73, 624 P.2d 20, 20 (1981). Accordingly, we

ORDER the judgment of conviction AFFIRMED.

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

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

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

cc: Hon. Nancy L. Porter, District Judge  
Brian D. Green  
Attorney General/Carson City  
Elko County District Attorney  
Elko County Clerk