

IN THE SUPREME COURT OF THE STATE OF NEVADA

ARAMIS ARREDONDO A/K/A ARMIS
ARREDONDO,

Appellant,

vs.

THE STATE OF NEVADA,

Respondent.

No. 36544

FILED

OCT 25 2000

JANETTE M. BLOOM
CLERK OF SUPREME COURT
BY *J. Schalk*
CHIEF DEPUTY CLERK

ORDER OF AFFIRMANCE

This is an appeal from a judgment of conviction, pursuant to a jury verdict, of one count of possession of a stolen vehicle (Count III), one count of possession of stolen property (Count IV), and one count of possession of a debit or credit card without the cardholder's consent (Count V). The district court sentenced appellant: for Count III, to a prison term of 12 to 30 months; for Count IV, to a concurrent prison term of 12 to 30 months and to pay \$250.00 in restitution; and for Count V, to a concurrent prison term of 12 to 34 months.

Appellant contends 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 a rational trier of fact. See *Wilkins v. State*, 96 Nev. 367, 609 P.2d 309 (1980).

In particular, we note that at the time of his arrest, appellant was a passenger in a car that had been stolen during a residential burglary. Appellant was also in possession of women's rings and a debit card that had been stolen during the same burglary. When the police officer who stopped the vehicle noticed that appellant was wearing five women's rings on his pinky and ring fingers, appellant stated

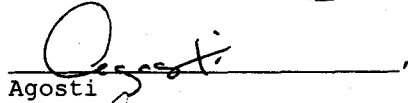
that the rings belonged to his sister. When asked about the car, appellant responded that he did not steal it.

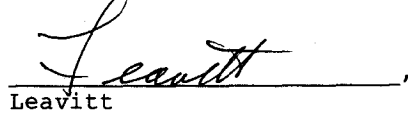
The jury could reasonably infer from the evidence presented that appellant was in possession of jewelry, a debit card, and a vehicle which he knew or had reason to believe were stolen. Moreover, given the facts that appellant was in possession of stolen property, that he made a false statement with regard to possession of the rings, and the fact that he had exclusive possession of the debit card, the jury could infer that he possessed the debit card with the intent to defraud the owner. 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, 624 P.2d 20 (1981).

Having considered appellant's contention and concluded that it is without merit, the judgment of conviction is affirmed.

It is so ORDERED.


Shearing J.


Agosti J.


Leavitt J.

cc: Hon. Sally L. Loehrer, District Judge
Attorney General
Clark County District Attorney
Daniel J. Albrechts, Ltd.
McDonald & Brasier
Clark County Clerk