

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

JAMES GRAYSON, JR.,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 73010

FILED

APR 11 2018

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY  DEPUTY CLERK

ORDER OF AFFIRMANCE

James Grayson, Jr., appeals from a judgment of conviction, entered pursuant to a jury verdict, of trafficking in a controlled substance and stop required on signal of a police officer.¹ Eighth Judicial District Court, Clark County; Valerie Adair, Judge.

Grayson contends the evidence presented at trial was insufficient to support the jury's finding of guilt. He claims there was insufficient evidence of trafficking in a controlled substance because he amount recovered was for personal use only and the evidence shows a lack of any of the hallmarks of standard drug trafficking. Grayson also claims there was insufficient evidence of stop required on signal of a police officer because the police officer disengaged the chase quickly and he was just trying to get out of the way of the police officer. 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 Origel-*

¹Grayson also pleaded guilty to ownership or possession of a firearm by a prohibited person. He does not challenge that conviction.

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Candido v. State, 114 Nev. 378, 381, 956 P.2d 1378, 1380 (1998); *Jackson v. Virginia*, 443 U.S. 307, 319 (1979).

On the date of the incident, Grayson was being surveilled by several undercover police officers who were attempting to locate and arrest him on a felony warrant. The officers located him and called in a marked patrol officer to initiate a stop on Grayson's vehicle. Prior to the patrol officer initiating the stop, Grayson was driving legally and not speeding or swerving. The patrol officer pulled up behind Grayson at Tropicana and Las Vegas Boulevard and, when the light turned green, activated his lights and siren. Grayson then took off at a high rate of speed and began swerving in and out of traffic. The patrol officer pursued him but got stuck in a lane that took him on the I-15 freeway and had to break off the pursuit.

Grayson continued to be followed by the undercover officers and a helicopter. None of the undercover officers used lights or sirens. Grayson still drove erratically, ran red lights, and at one point drove on the sidewalk. He eventually stopped at the Orleans Arena, got out of his vehicle, and ran off on foot. An officer with a K-9 pursued him and the K-9 took him down. Grayson was arrested and, during a search incident to arrest, officers found 5.1 grams of methamphetamine in his pocket.

The jury could reasonably infer from the evidence presented that Grayson knowingly possessed more than 4 grams but less than 14 grams of methamphetamine. See NRS 453.3385(1)(a). The statute only requires the person knowingly possess a certain amount of a prohibited substance and does not require the State to prove "hallmarks of standard drug trafficking." Further, the jury could reasonably infer Grayson failed to stop on the signal of a police officer and drove his vehicle in a manner which endangered or was likely to endanger any other person or the

property of any other person. See NRS 484B.550. 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). Accordingly, we

ORDER the judgment of conviction AFFIRMED.

Silver, C.J.
Silver

Tao, J.
Tao

Gibbons, J.
Gibbons

cc: Hon. Valerie Adair, District Judge
Matsuda & Associates, Ltd.
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk