

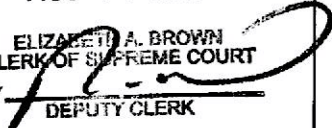
IN THE COURT OF APPEALS OF THE STATE OF NEVADA

LUCAS BARNETT BRADY,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 75909-COA

**FILED**

AUG 13 2019

ELIZABETH A. BROWN  
CLERK OF SUPREME COURT  
BY  DEPUTY CLERK

*ORDER OF AFFIRMANCE*

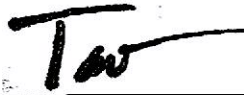
Lucas Barnett Brady appeals from a judgment of conviction, pursuant to a jury verdict, of trafficking in a schedule I controlled substance, 28 grams or more. Second Judicial District Court, Washoe County; Kathleen M. Drakulich, Judge.


Brady claims that absent a detective's testimony regarding a statement Brady allegedly made to the detective, insufficient evidence supports his conviction. Brady asserts that, although the jury apparently found the Detective's testimony credible, this court need not do so. However, it "is well established that it is the function of the jury, not the appellate court, to weigh the evidence and pass upon the credibility of the witness." *Walker v. State*, 91 Nev. 724, 726, 542 P.2d 438, 439 (1975). Further, "[i]n assessing a sufficiency of the evidence challenge, a reviewing court must consider all of the evidence admitted by the trial court." *Stephans v. State*, 127 Nev. 712, 721, 262 P.3d 727, 734 (2011) (internal quotation marks omitted). Brady does not allege that the jury could not have been convinced beyond a reasonable doubt that he committed trafficking in a schedule I controlled substance based on the evidence the

jury had a right to consider. Accordingly, we conclude Brady has failed to demonstrate insufficient evidence supports his conviction, and we

ORDER the judgment of conviction AFFIRMED.

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

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

  
\_\_\_\_\_, J.  
Bulla

cc: Hon. Kathleen M. Drakulich, District Judge  
Washoe County Public Defender  
Attorney General/Carson City  
Washoe County District Attorney  
Washoe District Court Clerk