

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

SABRINA STARR DUMAS,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 71953

FILED

MAY 18 2018

ELIZABETH A. BROWN  
CLERK OF SUPREME COURT  
BY  DEPUTY CLERK

ORDER OF AFFIRMANCE

Sabrina Starr Dumas appeals from a judgment of conviction, pursuant to a jury verdict, of first-degree murder with the use of a deadly weapon. Second Judicial District Court, Washoe County; Jerome M. Polaha, Judge.

Dumas stabbed his girlfriend Carolyn Smith to death in a Reno motel room.<sup>1</sup> A jury found Dumas guilty of first-degree murder with the use of a deadly weapon, and the district court sentenced him to life without the possibility of parole and to a consecutive sentence of 72 to 240 months for the use of a deadly weapon.

On appeal, Dumas argues that there was insufficient evidence to establish premeditation and deliberation supporting a conviction of first-degree murder. We disagree.

In reviewing a challenge to the sufficiency of evidence supporting a criminal conviction, we consider “whether, after viewing the evidence in the light most favorable to the prosecution, *any* rational trier of fact could have found the essential elements of the crime beyond a reasonable doubt.” *McNair v. State*, 108 Nev. 53, 56, 825 P.2d 571, 573

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<sup>1</sup>We do not recount the facts except as necessary to our disposition.


(1992) (emphasis in original) (internal quotations omitted). The jury weighs the evidence and determines whether it is sufficient to meet the elements of the crime, and we will not disturb a verdict that is supported by substantial evidence. *Id.*


“NRS 200.030(1)(a) provides in relevant part that murder perpetrated by ‘willful, deliberate and premeditated killing’ is first-degree murder.” *Byford v. State*, 116 Nev. 215, 235, 994 P.2d 700, 713-14 (2000). The Nevada Supreme Court defines willfulness as “the intent to kill,” deliberation as “the process of determining upon a course of action to kill as a result of thought,” and premeditation as “having the determination to kill, distinctly formed in the mind by the time of the killing.” *Byford*, 116 Nev. at 236-37, 994 P.2d at 714. Premeditation “may be as instantaneous as successive thoughts of the mind. For if the jury believes from the evidence that the act constituting the killing has been preceded by and has been the result of premeditation, no matter how rapidly the act follows the premeditation, it is premeditated.” *Id.* at 237, 994 P.2d at 714. Circumstantial evidence can establish premeditation and deliberation. *Leonard v. State*, 117 Nev. 53, 75, 17 P.3d 397, 411 (2001).


Here, the State presented substantial evidence from which a rational jury could find that Dumas’ actions were willful, premeditated, and deliberate: Smith was stabbed 22 times; witnesses heard Dumas and Smith arguing at least one hour prior to the 911 call; Dumas’ voice was not raised in the 911 call; Dumas’ demeanor was calm and relaxed when the police arrived; Dumas calmly asked the officers to take him to jail, informing them that he killed Smith; and Smith’s blood was found on Dumas’ pants, shirt, and shoes. Thus, in light of this extensive evidence presented at trial, we

conclude the evidence was sufficient to support the verdict of first-degree murder. Accordingly, we

ORDER the judgment of conviction AFFIRMED.

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

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

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

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