

IN THE SUPREME COURT OF THE STATE OF NEVADA

KEVIN STONE A/K/A KEVIN ANTHONY
ROBINSON,

No. 37276

Appellant,

vs.

THE STATE OF NEVADA,

Respondent.

FILED

MAR 23 2001

JANETTE M. BLOOM
CLERK OF SUPREME COURT

BY *J. B. B. B.*
CHIEF DEPUTY CLERK

ORDER OF AFFIRMANCE

This is an appeal from a judgment of conviction, pursuant to a jury verdict, of one count of attempted murder. The district court sentenced appellant to a prison term of 96 to 240 months, with a consecutive term of 96 to 240 months for the use of a deadly weapon.

Appellant contends that the evidence presented at trial was insufficient to support the jury's finding of guilt. Specifically, appellant argues that his sister testified that appellant was at her house at the time of the shooting, and that a friend of appellant's testified similarly. 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.¹

In particular, we note that the victim, who knew appellant, testified that appellant ran in the victim's back door and shot the victim. The victim further testified that this incident occurred after the victim and appellant had engaged in a fight in which appellant's nose was bloodied. The victim testified that appellant ran from the victim's home and said he would return.

¹See Wilkins v. State, 96 Nev. 367, 609 P.2d 309 (1980).

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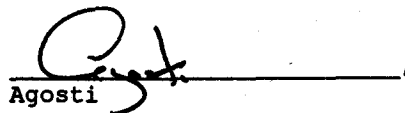
The jury could reasonably infer from the evidence presented that appellant shot the victim. It is for the jury to determine the weight and credibility to give conflicting testimony, and the jury's verdict will not be disturbed on appeal where, as here, substantial evidence supports the verdict.²

Having concluded that appellant's contention lacks merit, we

ORDER the judgment of conviction AFFIRMED.


Shearing J.


Rose J.


Agosti J.

cc: Hon. Brent T. Adams, District Judge
Attorney General
Washoe County District Attorney
Bruce D. Voorhees
Washoe County Clerk

²See Bolden v. State, 97 Nev. 71, 624 P.2d 20 (1981).