

IN THE SUPREME COURT OF THE STATE OF NEVADA

TAMARLO JEMOND DIXON,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 41911

**FILED**

**FEB 11 2004**

JANETTE M. BLOOM  
CLERK OF SUPREME COURT  
BY *J. R. [Signature]*  
DEPUTY CLERK

ORDER OF AFFIRMANCE AND LIMITED REMAND TO CORRECT  
JUDGMENT OF CONVICTION

This is an appeal from judgment of conviction, pursuant to a jury verdict, of one count of battery constituting domestic violence. The district court sentenced appellant to a prison term of 19 to 48 months.

Appellant contends that the evidence presented at trial was insufficient to support the jury's finding of guilt. Specifically, appellant argues that the victim's testimony at trial is not to be believed because it differed from her testimony at the preliminary hearing wherein she testified that she only reported the battery to get appellant into trouble. 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.<sup>1</sup>

In particular, we note that both the victim and appellant testified at trial that they had a child in common and were in a dating relationship. The victim testified at trial that appellant attacked her by slamming her against a door, pulling her hair, scratching, striking, and grabbing her.

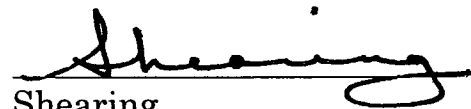
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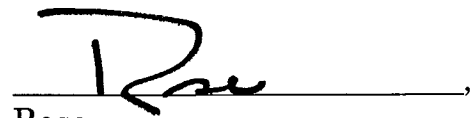
<sup>1</sup>See Wilkins v. State, 96 Nev. 367, 609 P.2d 309 (1980); see also Origel-Candido v. State, 114 Nev. 378, 381, 956 P.2d 1378, 1380 (1998).

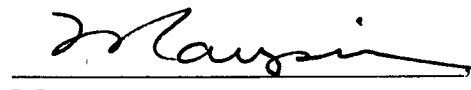
The jury could reasonably infer from the evidence presented that appellant committed domestic battery. It is for the jury to determine the weight and credibility to give conflicting testimony, and the jury's verdict will not be disturbed on appeal where, as here, substantial evidence supports the verdict.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

This court notes, however, that the judgment of conviction states that appellant was convicted pursuant to a guilty plea when, in fact, he was convicted pursuant to a jury verdict. Accordingly, we affirm the judgment of conviction and remand this matter to the district court for the limited purpose of entering a corrected judgment of conviction.

It is so ORDERED.

 C.J.  
Shearing

 J.  
Rose

 J.  
Maupin

cc: Hon. Joseph T. Bonaventure, District Judge  
Clark County Public Defender  
Attorney General Brian Sandoval/Carson City  
Clark County District Attorney David J. Roger  
Clark County Clerk

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<sup>2</sup>See Bolden v. State, 97 Nev. 71, 624 P.2d 20 (1981); see also McNair v. State, 108 Nev. 53, 56, 825 P.2d 571, 573 (1992).