

IN THE SUPREME COURT OF THE STATE OF NEVADA

QUINN DONOVAN GREENE,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 56256

FILED

JAN 13 2011

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
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DEPUTY CLERK


ORDER OF AFFIRMANCE

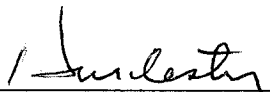
This is an appeal from a judgment of conviction, pursuant to a guilty plea, of possession of a schedule I or II controlled substance for the purpose of sale. Fourth Judicial District Court, Elko County; Andrew J. Puccinelli, Judge.

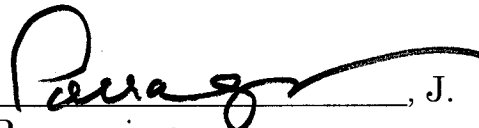
Appellant Quinn Donovan Greene contends that the district court erred by denying his motion to suppress evidence of the marijuana seized after a search of his vehicle because (1) the arresting officer lacked reasonable suspicion to detain him after returning his documents and deciding not to issue a speeding ticket and (2) his two independent consents to searches of the rental car's trunk and then the duffle bags contained therein were not voluntary. The district court conducted a hearing, considered the totality of the circumstances, including a videotape of the encounter, and found that reasonable, articulable suspicion existed to support the detention. State v. Rincon, 122 Nev. 1170, 1173-74, 147 P.3d 233, 235-36 (2006); see also NRS 171.123(1). The district court also found that Greene's two consents were voluntary and not the product of coercion. McMorran v. State, 118 Nev. 379, 383, 46 P.3d 81, 83 (2002); see also Schneckloth v. Bustamonte, 412 U.S. 218, 248-49 (1973). We conclude that the district court's findings were not clearly

erroneous and that the court did not err by denying Greene's motion to suppress. See Somee v. State, 124 Nev. 434, 441, 187 P.3d 152, 157-58 (2008) ("We review the district court's findings of historical fact for clear error but review the legal consequences of those factual findings de novo."). Accordingly, we

ORDER the judgment of conviction AFFIRMED.


_____, J.
Saitta


_____, J.
Hardesty


_____, J.
Parraguirre

cc: Hon. Andrew J. Puccinelli, District Judge
Elko County Public Defender
Attorney General/Carson City
Elko County District Attorney
Elko County Clerk