

IN THE SUPREME COURT OF THE STATE OF NEVADA

DAVID DELMONT BICKLE,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 57091

FILED

MAY 10 2011

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY S. Young
DEPUTY CLERK

ORDER OF AFFIRMANCE

This is an appeal from a judgment of conviction, pursuant to a jury verdict, of three counts of burglary and one count of possession of stolen property. Second Judicial District Court, Washoe County; Steven R. Kosach, Judge.


Appellant David Bickle contends that insufficient evidence was adduced to support his conviction on count I—burglarizing the Travers' home. We disagree because the evidence, when viewed in the light most favorable to the State, is sufficient to establish guilt beyond a reasonable doubt as determined by a rational trier of fact. See Jackson v. Virginia, 443 U.S. 307, 319 (1979); Mitchell v. State, 124 Nev. 807, 816, 192 P.3d 721, 727 (2008).

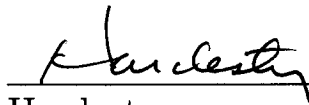
Trial testimony indicated that Bickle knew the Travers were out of town during the time in which the burglary took place. The Travers left Reno on November 26, 2009, and returned on the 29th. On the 28th, Bickle pawned several items taken from the Travers' home at two separate locations. One of the pawnbrokers testified that Bickle informed him that he had owned the merchandise for six months. When he was

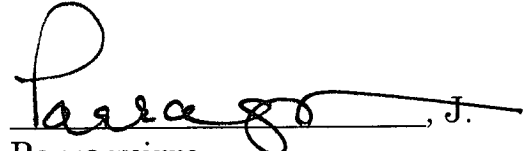
arrested, Bickle was in possession of additional items taken from the Travers' home.¹

It is for the jury to determine the weight and credibility to give conflicting testimony, and a jury's verdict will not be disturbed on appeal where, as here, substantial evidence supports the verdict. See NRS 205.060(1); McNair v. State, 108 Nev. 53, 56, 825 P.2d 571, 573 (1992); Bolden v. State, 97 Nev. 71, 73, 624 P.2d 20, 20 (1981). Additionally, circumstantial evidence alone may sustain a conviction. See Buchanan v. State, 119 Nev. 201, 217, 69 P.3d 694, 705 (2003). Accordingly, we

ORDER the judgment of conviction AFFIRMED.


Saitta, J.


Hardesty, J.


Parraguirre, J.

cc: Hon. Steven R. Kosach, District Judge
Washoe County Public Defender
Attorney General/Carson City
Washoe County District Attorney
Washoe District Court Clerk

¹Entry to the house was achieved through the backdoor, which showed signs of being forcibly opened. Dennis Travers testified that he gave Bickle a key to the backdoor while he was working on the property. The prosecutor argued in closing that Bickle "kicked in" the backdoor in order to "cover his tracks."