

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

TERHAIN WOODS, JR.,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 77878-COA

**FILED**

FEB 11 2020

ELIZABETH A. BROWN  
CLERK OF SUPREME COURT  
BY S. Young  
DEPUTY CLERK

*ORDER OF AFFIRMANCE*

Terhain Woods, Jr., appeals from a judgment of conviction entered pursuant to a jury verdict of child abuse, neglect, or endangerment with substantial bodily harm and breaking, injuring or tampering with a motor vehicle. Eighth Judicial District Court, Clark County; Jerry A. Wiese, Judge.

First, Woods argues the district court erred by concluding evidence of the child victim's prior broken leg was inadmissible. District courts have considerable discretion in determining the relevance and admissibility of evidence, and this court will not disturb such decisions unless they are manifestly wrong. *Archanian v. State*, 122 Nev. 1019, 1029, 145 P.3d 1008, 1016 (2006).

During trial, Woods sought to introduce evidence concerning the child victim's broken leg. Woods explained that the injury occurred before he had met the child and contended that the jury may be able to infer that the child's mother caused the broken leg. Woods requested to introduce this evidence in an effort to show that the child's mother may have also caused the injuries that led to Woods' child-abuse charge. The district court asked Woods if there was any evidence that the broken leg had been caused

by the mother. Woods acknowledged there was no such evidence, but thought he should be permitted to raise the possibility. Because there was no evidence that the mother caused the child's broken leg, the district court found evidence related to that injury was irrelevant. *See* NRS 48.025(2). The district court further found Woods sought to use evidence concerning the child's broken leg in an attempt to show the child's mother had a propensity to cause such injuries and that such use of prior-bad-act evidence was improper. *See* NRS 48.045(2). Woods fails to demonstrate the district court's decisions were manifestly wrong. Therefore, we conclude the district court did not err by excluding evidence related to the child's broken leg.

Second, Woods argues there was insufficient evidence to support the jury's finding of guilt for child abuse, neglect, or endangerment with substantial bodily harm. 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. *See Origel-Candido v. State*, 114 Nev. 378, 381, 956 P.2d 1378, 1380 (1998); *see also Jackson v. Virginia*, 443 U.S. 307, 319 (1979).

During trial, two witnesses testified they heard the cry of a young child from inside of an apartment. They both testified they heard an adult male voice yell at the child and then heard sounds they described as a whack. They stated the child immediately fell silent, which concerned them. One witness called 911 and directed police officers to the apartment. The officers discovered Woods was the only adult male inside of the apartment and also discovered an unresponsive young child. The officers took the child to receive medical care and a medical expert testified the child had serious injuries to his lungs and liver. The medical expert testified the injuries were consistent with an adult striking or squeezing the child.

Given the testimony and evidence produced at trial, the jury could reasonably find Woods committed child abuse, neglect, or endangerment with substantial bodily harm. See NRS 200.508(1)(a)(2). While Woods contends the evidence merely demonstrated that he was in the presence of the child, 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. See *Bolden v. State*, 97 Nev. 71, 73, 624 P.2d 20, 20 (1981). Accordingly, we

ORDER the judgment of conviction AFFIRMED.

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

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

  
\_\_\_\_\_, J.  
Bulla

cc: Hon. Jerry A. Wiese, District Judge  
The Law Office of Michael A. Troiano  
Attorney General/Carson City  
Clark County District Attorney  
Eighth District Court Clerk