

January 6, 2006

Charles R. Fulbruge III
Clerk

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 05-40304
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

MARIO LADERILLERO FLORES,
also known as Mario Flores,

Defendant-Appellant.

Appeal from the United States District Court
for the Eastern District of Texas
USDC No. 4:04-CR-67-ALL

Before REAVLEY, HIGGINBOTHAM and CLEMENT, Circuit Judges.

PER CURIAM:*

Mario Laderillero Flores appeals from his jury conviction of conspiring to distribute or possess with intent to distribute or dispense methamphetamine. He argues that the evidence produced at trial, which merely established that he was present at the methamphetamine transaction, was insufficient to support the jury's verdict.

Flores did not move for a judgment of acquittal in the district court. Accordingly, this court reviews his argument

* Pursuant to 5TH CIR. R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR. R. 47.5.4.

only to determine if his conviction constitutes a manifest miscarriage of justice. United States v. Griffin, 324 F.3d 330, 356 (5th Cir. 2003). When viewed in the light most favorable to the jury's verdict, the evidence produced at trial established all of the elements of the charged conspiracy beyond a reasonable doubt. See id.; United States v. Chavez, 119 F.3d 342, 347 (5th Cir. 1997). Therefore, Flores's conviction did not result in a manifest miscarriage of justice. See Griffin, 324 F.3d at 356.

The district court's judgment is AFFIRMED.