

March 14, 2006

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

Charles R. Fulbruge III
Clerk

No. 05-50546
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

NANTU KHAN, also known as Kamal Khan Mostafa,

Defendant-Appellant.

Appeal from the United States District Court
for the Western District of Texas
USDC No. 3:04-CR-2590-ALL

Before JOLLY, DAVIS and OWEN, Circuit Judges.

PER CURIAM:*

Nantu Khan appeals his conviction of destroying, concealing, and mutilating identification documents with the intent to obstruct or influence an investigation of a matter within the jurisdiction of a department of the United States. He argues that the evidence was insufficient to support his conviction.

Khan properly preserved his sufficiency claim for appellate review. See United States v. Resio-Trejo, 45 F.3d 907, 911 n.6 (5th Cir. 1995). Viewing all of the evidence in the light most

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

favorable to the Government, a rational jury could have inferred that Khan attempted to conceal his alias information from officials investigating his immigration status by shoving documents containing his alias into the toilet of the holding cell where he was being detained. See United States v.

Pruneda-Gonzalez, 953 F.2d 190, 193 (5th Cir. 1992).

Accordingly, Khan's conviction is AFFIRMED.