

UNITED STATES COURT OF APPEALS  
For the Fifth Circuit

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No. 00-20133

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UNITED STATES OF AMERICA,

Plaintiff-Appellee,

VERSUS

JAMES AUTHOR HARRIS, II,

Defendant-Appellant.

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Appeal from the United States District Court  
For the Southern District of Texas, Houston  
H-99-CR-539-ALL

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December 22, 2000

Before JOLLY and DAVIS, Circuit Judges, and RESTANI\*, Judge.

PER CURIAM:\*\*

In this direct, criminal appeal, Harris challenges his conviction and sentence and raises the following points of error:

1. The district court abused its discretion by failing to

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\*Judge, U.S. Court of International Trade, sitting by designation.

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 R. 47.5, the Court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

adopt Harris's proposed jury instruction on unanimity;

2. The evidence was insufficient to support a conviction on the twelve offenses charged;

3. The indictment was prejudicial because it either contained duplicitous charges or disjunctive charges; and

4. The district court erred in its loss calculations which requires resentencing.

After a careful review of the record and considering the briefs and arguments of counsel, we are satisfied that the district court committed no reversible error.

AFFIRMED.