

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 00-40945  
Summary Calendar

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UNITED STATES OF AMERICA

Plaintiff - Appellee

v.

ALI ANTHONY CLARKE

Defendant - Appellant

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Appeal from the United States District Court  
for the Eastern District of Texas  
USDC No. 1:00-CR-4-2  
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May 9, 2001

Before KING, Chief Judge, and WIENER and DENNIS, Circuit Judges.

PER CURIAM:\*

Ali Anthony Clarke ("Clarke") was convicted of conspiracy to possess with intent to distribute controlled substance, in violation of 21 U.S.C. §§ 841(a)(1) and 846, and possession with intent to distribute controlled substance, in violation of 21 U.S.C. § 841(a)(1). He argues that insufficient evidence existed to support his convictions. He also argues that the district court erred in admitting evidence of his prior convictions for drug-related offenses under Fed. R. Evid. 404(b). Because Clarke did not reurge his motion for judgment of acquittal at the close

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

of all the evidence, this court's review of the sufficiency of the evidence is limited to determining whether there was a manifest miscarriage of justice. See United States v. Johnson, 87 F.3d 133, 136 (5th Cir. 1996).

This court has carefully reviewed the record and the briefs of the parties. We conclude that no manifest miscarriage of justice occurred. See United States v. Villasenor, 236 F.3d 220, 223 (5th Cir. 2000); United States v. Rivas, 157 F.3d 364, 368-69 (5th Cir. 1998). We also conclude that Clarke waived his Fed. R. Evid. 404(b) argument. See United States v. Musquiz, 45 F.3d 927, 931 (5th Cir. 1995). The judgment of the district court is AFFIRMED.