

May 20, 2004

Charles R. Fulbruge III
Clerk

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 03-40214
Summary Calendar

UNITED STATES OF AMERICA

Plaintiff - Appellee

v.

MAGDALENO ALCANTAR-CHAIDEZ

Defendant - Appellant

Appeal from the United States District Court
for the Southern District of Texas
USDC No. L-02-CR-512-1

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

PER CURIAM:*

Magdaleno Alcantar-Chaidez appeals his convictions,
following a jury trial, on charges that he conspired to possess
more than 100 kilograms of marijuana with the intent to
distribute it, and possessed more than 100 kilograms of marijuana
with the intent to distribute it, all in violation of 18 U.S.C.
§ 2 and 21 U.S.C. §§ 841 and 846. He contends that the evidence
produced at trial was insufficient to support his convictions.

* 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that this opinion should not be published and is not precedent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.

In effect, Alcantar-Chaidez is challenging the district court's denial of his motion for acquittal, an issue which we review de novo. See United States v. Leed, 981 F.2d 202, 205 (5th Cir. 1993).

Viewing the evidence produced at trial in the light most favorable to the verdict, a reasonable trier of fact could have found that the evidence established Alcantar-Chaidez's guilt beyond a reasonable doubt for both offenses. See United States v. Jaramillo, 42 F.3d 920, 922-23 (5th Cir. 1995); United States v. Ivy, 973 F.2d 1184, 1888 (5th Cir. 1992). Accordingly, the district court's judgment is AFFIRMED.