

May 1, 2007

Charles R. Fulbruge III
Clerk

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 06-50725
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

JOSEPH LEON PLUMMER,

Defendant-Appellant.

Appeal from the United States District Court
for the Western District of Texas
USDC No. 6:05-CR-218

Before DeMOSS, STEWART, and PRADO, Circuit Judges.

PER CURIAM:*

Joseph Leon Plummer appeals his jury convictions for being a felon in possession of a firearm, in violation of 18 U.S.C. § 922(g)(1), and being in possession of an unregistered firearm, in violation of 26 U.S.C. § 5861(d). Plummer argues that the evidence was insufficient to prove that he knowingly possessed the firearm. Because Plummer failed to move for a judgment of acquittal at the close of all evidence, review is limited to determining whether there was a "manifest miscarriage of justice." See United States v. Avants, 367 F.3d 433, 499 (5th

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

Cir. 2004). A review of the record indicates that there is sufficient evidence of guilt. Therefore, Plummer has not shown that his conviction would result in a "manifest miscarriage of justice." See id. Accordingly, Plummer's conviction is AFFIRMED.