

UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 95-31033
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

OCTAVIO SILVA DIAZ,

Defendant-Appellant.

Appeal from the United States District Court
for the Eastern District of Louisiana
(93-CR-382)

August 1, 1996

Before DAVIS, JONES, and BARKSDALE, Circuit Judges.

PER CURIAM:*

Octavio Silva Diaz appeals his conviction for conspiracy to distribute methamphetamine, in violation of 21 U.S.C. § 846, contending that the district court erred by denying his motion for judgment of acquittal based on improper venue. Pursuant to our review of the record, we find no reversible error. See **United States v. Caldwell**, 16 F.3d 623, 624 (5th Cir. 1994) (venue for conspiracy is proper in any district where agreement was formed or

* Pursuant to Local Rule 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in Local Rule 47.5.4.

an overt act occurred). Accordingly, the judgment is

AFFIRMED.