

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 95-40894
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

v.

DIANA N. ALANIZ; SALOME A. PALOMO,

Defendants-Appellants.

Appeal from the United States District Court
for the Southern District of Texas
(CR-B-95-112-02)

October 23, 1996
Before KING, JONES, and DeMOSS, Circuit Judges.

PER CURIAM:*

Diana N. Alaniz and Salome A. Palomo appeal their judgments of conviction for unlawful disclosure of confidential information in violation of 18 U.S.C. § 1905. Alaniz and Palomo argue that the evidence was insufficient to support the convictions, and Palomo further argues that the district court constructively amended the indictment in its jury instruction. We have reviewed

* Pursuant to Local Rule 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in Local Rule 47.5.4.

the record and the briefs of the parties and hold that the evidence was sufficient for a reasonable jury to find Alaniz and Palomo guilty beyond a reasonable doubt. United States v. Bell, 678 F.2d 547, 549 (5th Cir. 1982) (en banc), aff'd, 462 U.S. 356 (1983). There was no constructive amendment to the indictment because the requested addition to the jury charge was not an element of the offense. United States v. Arlen, 947 F.2d 139, 144 (5th Cir. 1991), cert. denied, 503 U.S. 939 (1992).

AFFIRMED.