IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 96-40439

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

JOHN H. FURH, IV,

Defendant-Appellant.

Appeal from the United States District Court for the Eastern District of Texas, Sherman
(4:95-CR-7-1)

March 11, 1997

Before GARWOOD, WIENER and DeMOSS, Circuit Judges.*

PER CURIAM:

On consideration of the briefs, the argument of counsel, and the record, this Court concludes that the appeal presents no reversible error.

Appellant did not renew his motion for judgment of acquittal at the close of all the evidence, although after the government rested, the defense had produced evidence; nor was any post-judgment motion for acquittal filed. In any event, we conclude

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*Pursuant to Local Rule 47.5, the Court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in Local Rule 47.5.4.

that the evidence was plainly sufficient, even had a proper motion been made at the close of all the evidence.

The court did not err in admitting the documents challenged on the basis of lack of proof of authority. The defendant had earlier stipulated to their authenticity, and it was also circumstantially evidenced.

Finally, the district court did not abuse its discretion in admitting the evidence concerning the false financial statement to the bank. It was relevant to the centrally contested issue in this case, intent; and, the trial court gave a proper limiting instruction. We are unable to find any abuse of discretion (moreover, it is clear that the admission of this evidence was plainly harmless).

AFFIRMED