

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 97-50250
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

REGINALD DWAYNE ELLISON,

Defendant-Appellant.

- - - - -
Appeal from the United States District Court
for the Western District of Texas
USDC No. A-96-CR-125-1
- - - - -

March 20, 1998

Before JONES, SMITH and STEWART, Circuit Judges.

PER CURIAM:*

Defendant-appellant Reginald Dwayne Ellison appeals his convictions for aiding and abetting the possession of cocaine base with intent to distribute and conspiring to possess cocaine base with intent to distribute, in violation of 21 U.S.C. §§ 841(a)(1) and 846. Ellison has not demonstrated that the district court committed plain error in admitting into evidence information about his previous convictions and arrests, or that

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

the court engaged in judicial misconduct in connection with the admission of this evidence. See United States v. Calverley, 37 F.3d 160, 162-64 (5th Cir. 1994); United States v. Gray, 105 F.3d 956, 964 (5th Cir.), cert. denied, 117 S. Ct. 1856 (1997); United States v. Bermea, 30 F.3d 1539, 1569 (5th Cir. 1995); United States v. Moser, 123 F.3d 813, 824 (5th Cir. 1997). Ellison has also failed to show that the court engaged in misconduct with regard to telling his trial attorney in open court to read a requested limiting instruction to the jury. See Bermea, 30 F.3d at 1569; cf. United States v. Candelaria-Gonzalez, 547 F.2d 291, 295-98 & n.8-11 (5th Cir. 1977). The limiting instruction given to the jury with regard to its consideration of evidence of a codefendant's guilty plea was, in any event, adequate. See United States v. Pierce, 959 F.2d 1297, 1304 (5th Cir. 1992).

AFFIRMED.