

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 98-10319
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

ROBERT MITCHELL HICKS,

Defendant-Appellant.

- - - - -
Appeal from the United States District Court
for the Northern District of Texas
USDC No. 3:97-CR-289-ALL-H
- - - - -

January 6, 1999

Before DAVIS, DUHÉ, and PARKER, Circuit Judges.

PER CURIAM:¹

Robert Hicks appeals his conviction of bank fraud, 18 U.S.C. § 1344(2), and bank robbery, 18 U.S.C. § 2113(b). He argues that insufficient evidence existed to support his bank fraud conviction because the Government failed to prove beyond a reasonable doubt that (1) he made any fraudulent representations to NationsBank, and (2) he possessed the specific intent to defraud NationsBank. He further argues that insufficient evidence existed to support his bank robbery conviction because the Government failed to prove

¹ 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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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.

beyond a reasonable doubt that he possessed the specific intent to steal NationsBank's money.

We have reviewed the record and the briefs of the parties and conclude that sufficient evidence existed to support the jury's finding that (1) Hicks made fraudulent representations to NationsBank, see United States v. Hord, 6 F.3d 276, 285 (5th Cir. 1993), and (2) Hicks possessed the specific intent to commit both crimes, see United States v. Khamis, 674 F.2d 390, 393-94 (5th Cir. 1992). The judgment of the district court is AFFIRMED.