

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

---

No. 98-60468  
Conference Calendar

---

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

JOHNNY N. MYLES,

Defendant-Appellant.

- - - - -  
Appeal from the United States District Court  
for the Southern District of Mississippi  
USDC No. 3:95-CR-99-1-BN  
- - - - -

April 16, 1999

Before JONES, SMITH, and DUHÉ, Circuit Judges.

PER CURIAM:\*

Johnny N. Myles appealed his jury-trial conviction for possession with the intent to distribute cocaine, arguing that the district court erred by allowing the Government to cross-examine him regarding a prior conviction. Finding that the district court had failed to make an on-the-record finding that the probative value of the prior conviction outweighed its prejudicial effect, this court remanded the case to the district

---

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

court. On remand, the district court made such finding and held that the conviction properly was admitted. Myles argues that the district court's ruling was an abuse of discretion.

We have reviewed the record and the briefs of the parties and find no reversible error. Accordingly, we AFFIRM essentially for the reasons stated by the district court. See United States v. Myles, No. 3:95-CR-99-1-BN (S.D. Miss.; May 23, 1997).

AFFIRMED.