

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 99-40276  
Summary Calendar

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UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

RIGOBERTO VILLEGAS,

Defendant-Appellant.

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Appeal from the United States District Court  
for the Southern District of Texas  
USDC No. M-98-CR-330-3  
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March 1, 2000

Before SMITH, BARKSDALE, and PARKER, Circuit Judges.

PER CURIAM:\*

Rigoberto Villegas appeals from his convictions of conspiring to possess with intent to distribute marijuana and possessing with intent to distribute marijuana. Villegas contends that the evidence was insufficient to support his convictions.

The jury could have found beyond a reasonable doubt from the evidence at trial that there was an agreement to take marijuana from Texas to Florida; that Villegas knew about the agreement; and that Villegas voluntarily participated in the agreement. The

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

evidence therefore was sufficient to support Villegas's conspiracy conviction. *United States v. Ayala*, 887 F.2d 62, 67 (5th Cir. 1989). The jury also could have found beyond a reasonable doubt that Villegas knowingly had constructive possession of the marijuana and that he intended to distribute it. *United States v. Cardenas*, 9 F.3d 1139, 1158 (5th Cir. 1993).

AFFIRMED.