

UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 99-41079  
Summary Calendar

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UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

GLEN DALE HORNER,

Defendant-Appellant.

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Appeal from the United States District Court  
for the Eastern District of Texas  
(1:98-CR-68-1)

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June 23, 2000

Before SMITH, BARKSDALE, and PARKER, Circuit Judges.

PER CURIAM:\*

In appealing his jury-trial conviction, under 18 U.S.C. § 2312, for interstate transportation of a stolen motor vehicle, Glen Dale Horner challenges the sufficiency of the evidence. The Government had to prove: there was a stolen vehicle; Horner knew it was stolen; and Horner transported the vehicle in interstate commerce. See *United States v. Webster*, 750 F.2d 307, 339 (5th

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 R. 47.5, the Court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

Cir. 1984), *cert. denied*, 471 U.S. 1106 (1985). Horner challenges the Government's proof regarding the second and third elements.

Pursuant to our review of the record and briefs, the evidence was sufficient for a reasonable jury to find, beyond a reasonable doubt, that Horner stole a truck in Texas and drove it across state lines to Louisiana. See ***United States v. Lopez***, 74 F.3d 575, 577 (5th Cir.), *cert. denied*, 517 U.S. 1228 (1996).

***AFFIRMED***