

August 28, 2006

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

Charles R. Fulbruge III
Clerk

No. 05-51558
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

RAYMOND KASTNER,

Defendant-Appellant.

Appeal from the United States District Court
for the Western District of Texas
USDC No. 6:04-CR-242-1

Before WIENER, BARKSDALE, and BENAVIDES, Circuit Judges.

PER CURIAM:*

Raymond Kastner appeals his conviction for being a felon in possession of a firearm. See 18 U.S.C. § 922(g)(1). He argues that the evidence at trial was insufficient because his ex-wife, Christine Grinie, was not a credible witness. This court's review for sufficiency of the evidence is not concerned with the credibility of witnesses or the weight of the evidence, which is the exclusive province of the jury. United States v. Garcia, 995 F.2d 556, 561 (5th Cir. 1993). Moreover, given the evidence at trial, Kastner has not shown that his conviction resulted in a

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

manifest miscarriage of justice. See United States v. Thomas,
12 F.3d 1350, 1358 (5th Cir. 1994).

AFFIRMED.