

October 15, 2004

Charles R. Fulbruge III  
Clerk

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 03-11114  
Summary Calendar

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UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

NELSON SANDOVAL HERNANDEZ,  
ADRIANA TERESA SANCHEZ GUTIERREZ,

Defendants-Appellants.

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Appeal from the United States District Court  
for the Northern District of Texas  
USDC No. 3:02-CR-396-M-5  
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Before DAVIS, SMITH, and DENNIS, Circuit Judges

PER CURIAM:\*

Nelson Sandoval Hernandez (Hernandez) appeals his conviction for conspiring to possess over five kilograms of cocaine with the intent to distribute, while Adriana Teresa Sanchez Gutierrez (Gutierrez) appeals her convictions for the same drug conspiracy and for conspiring to launder monetary instruments with the proceeds of the drug conspiracy. Gutierrez contends that the evidence was insufficient to support either of her convictions. After reviewing the record and the arguments of counsel, we hold

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

that a rational trier of fact could have found that the evidence established the essential elements of the offenses beyond a reasonable doubt.

Gutierrez and Hernandez also contend that the district court erred in denying their challenge to the jury panel, which was made pursuant to Batson v. Kentucky, 476 U.S. 79 (1986). Their conclusional assertion that the Government's proffered race-neutral reasons for striking minority jurors were pretextual is insufficient to overcome the deference given to the district court's decision to accept those explanations. See United States v. De La Rosa, 911 F.2d 985, 991 (5th Cir. 1990). The judgments of conviction are AFFIRMED.