

June 30, 2004

Charles R. Fulbruge III  
Clerk

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 03-60644  
Summary Calendar

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UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

TONY TERRELL ARMSTEAD,

Defendant-Appellant.

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Appeal from the United States District Court  
for the Southern District of Mississippi  
USDC No. 4:02-CR-21-ALL-LS  
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Before JONES, BENAVIDES, and CLEMENT, Circuit Judges.

PER CURIAM:\*

Tony Terrell Armstead appeals his conviction for burglary of the United States Post Office at Rose Hill, Mississippi, in violation of 18 U.S.C. § 2115. Armstead argues that the evidence fails to support his conviction. Armstead contends that two Government witnesses implicated him in an attempt to exonerate themselves and that their testimony was not worthy of belief. The jury accepted the Government's evidence and rejected

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

Armstead's explanation of events. We will not disturb that credibility determination. United States v. Runyan, 290 F.3d 223, 240 (5th Cir.), cert. denied, 537 U.S. 888 (2002). The evidence supports Armstead's conviction.

AFFIRMED.