

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 95-60342
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

CHARLES MASON WHITLEY,

Defendant-Appellant.

- - - - -
Appeal from the United States District Court
for the Southern District of Mississippi
USDC No. 3:94-CR-133
- - - - -

February 22, 1996

Before KING, SMITH and BENAVIDES, Circuit Judges.

PER CURIAM:*

Charles Mason Whitley appeals his conviction for possession of cocaine base with intent to distribute it. 21 U.S.C. § 841(a)(1). He argues that there was insufficient evidence to support his conviction and that the district court abused its discretion in not delivering a proffered jury instruction.

We have reviewed the record and Whitley's contentions and we find no reversible error. Accordingly, Whitley's conviction and sentence are AFFIRMED.

* Pursuant to Local Rule 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in Local Rule 47.5.4.