

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 96-10905
Conference Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

JORGE EDUARDO DAVALOS,

Defendant-Appellant.

- - - - -
Appeal from the United States District Court
for the Northern District of Texas
USDC No. 2:96-CR-10-2
- - - - -
February 24, 1997

Before SMITH, EMILIO M. GARZA, and PARKER, Circuit Judges.

PER CURIAM:*

Jorge Eduardo Davalos was convicted of conspiracy to possess with intent to distribute cocaine and possession of cocaine. On appeal, Davalos challenges the sufficiency of the evidence to support his convictions.

To prove the possession with intent to distribute charges against Davalos, the Government was required to prove knowing possession of the illegal substances with intent to distribute.

* Pursuant to Local Rule 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in Local Rule 47.5.4.

United States v. Cardenas, 9 F.3d 1139, 1158 (5th Cir. 1993),
cert. denied, 114 S. Ct. 2150 (1994). To prove the conspiracy
count, the Government was required to show an agreement to
violate the drug laws and that the defendant knew about it and
voluntarily joined and participated in it. *United States v.*
Pierre, 958 F.2d 1304, 1311 (5th Cir.) (en banc), *cert. denied*,
506 U.S. 898 (1992).

We conclude that a rational trier of fact could have found
that the evidence established guilt of these crimes beyond a
reasonable doubt. *United States v. Ivey*, 949 F.2d 759, 766 (5th
Cir. 1991), *cert. denied*, 506 U.S. 819 (1992).

AFFIRMED.