

UNITED STATES COURT OF APPEALS
FIFTH CIRCUIT

No. 97-20324
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

RICKY LAYNE WAGGONER,

Defendant-Appellant.

Appeal from the United States District Court
for the Southern District of Texas
(H-CR-96-212-1)

April 21, 1998

Before WIENER, BARKSDALE, and EMILIO M. GARZA, Circuit Judges.

PER CURIAM:*

Ricky Layne Waggoner appeals his conviction for embezzlement. In challenging the sufficiency of the evidence, Waggoner argues that there was insufficient evidence to corroborate his admissions of guilt, offered through the testimony of three witnesses. He also argues that the district court erred in denying his motion for mistrial after the jury deadlocked.

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

We have carefully reviewed the arguments and the appellate record. We conclude that the evidence was sufficient to prove Waggoner's guilt beyond a reasonable doubt. See *United States v. Garth*, 773 F.2d 1469, 1479 (5th Cir. 1985). We also conclude that the district court did not abuse its discretion in denying the motion for mistrial. See *United States v. Garcia*, 732 F.2d 1221, 1227-28 (5th Cir. 1984).

AFFIRMED.