

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 97-41423
Conference Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

ROSALIO CALZONCINTH,

Defendant-Appellant.

- - - - -
Appeal from the United States District Court
for the Southern District of Texas
USDC No. B-97-CR-198-1
- - - - -

June 17, 1998

Before DAVIS, PARKER, and DENNIS, Circuit Judges

PER CURIAM:*

Rosalio CalzoncintH appeals his conviction for conspiracy to transport and harbor aliens and knowingly transporting aliens within the United States. CalzoncintH argues that the district court erred in admitting the videotaped depositions of the alien witnesses because the Government did not establish that the witnesses were unavailable. The district court did not err in admitting the alien witnesses' deposition testimony. See United States v. Allie, 978 F.2d 1401, 1407 (5th Cir. 1992).

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

No. 97-41423

-2-

AFFIRMED.