

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 98-40884
Conference Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

MIGUEL ANGEL MORA-RODRIGUEZ,

Defendant-Appellant.

- - - - -
Appeal from the United States District Court
for the Southern District of Texas
USDC No. M-97-CR-355-1
- - - - -

April 16, 1999

Before JONES, SMITH, and DUHÉ, Circuit Judges.

PER CURIAM:*

Miguel Angel Mora-Rodriguez ("Mora") appeals from his conviction of possession of marijuana with intent to distribute and importation of marijuana. Mora contends that the district court erred by rejecting his proposed instruction addressing possession of contraband in a hidden compartment.

The district court instructed the jury properly on constructive possession. The rejection of Mora's proposed instruction therefore was not error. *See United States v. Pennington*, 20 F.3d 593, 600 (5th Cir. 1994).

AFFIRMED.

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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