

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 99-60574
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

ENRAY TURNER,

Defendant-Appellant.

Appeal from the United States District Court
for the Northern District of Mississippi
(98-CR-126-ALL-D)

February 29, 2000

Before POLITZ, WIENER, and DENNIS, Circuit Judges.

PER CURIAM:*

Defendant-Appellant Enray Turner appeals his convictions for knowingly and willfully distributing crack cocaine, in violation of 21 U.S.C. §§ 841(a)(1) and 841(b)(1)(C). He contends that the district court abused its discretion in admitting four checks into evidence pursuant to Fed. R. Evid. 404(b) for the purpose of showing Turner's knowledge and intent. Turner also contends that the district court erred in failing to give the jury a limiting instruction on this admitted evidence.

We have reviewed the record and the briefs submitted by the parties and find no abuse of discretion in admitting the four

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

checks into evidence. United States v. Bentley-Smith, 2 F.3d 1368, 1377 (5th Cir. 1993); United States v. Beechum, 582 F.2d 898, 911 (5th Cir. 1978) (en banc). Because Turner has not provided a transcript of the instructions to the jury, we cannot determine the comprehensiveness of the district court's jury charge and therefore decline to address that issue. See United States v. Parziale, 947 F.2d 123, 129 (5th Cir. 1991); Fed. R. App. P. 10(b). Any review would have been for plain error. Parziale, 947 F.2d at 129.

AFFIRMED.