

UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 00-31480
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

LARRY ALFRED,

Defendant-Appellant.

Appeal from the United States District Court
for the Eastern District of Louisiana
(00-CR-205-ALL-C)

August 20, 2001

Before HIGGINBOTHAM, WIENER, and BARKSDALE, Circuit Judges.

PER CURIAM:*

In appealing his conviction for being a felon in possession of a firearm, in violation of 18 U.S.C. § 922(g)(1), Larry Alfred presents three issues. Alfred pointed the firearm at another. The issues turn on evidence admitted or excluded at trial.

Concerning these issues, the district court did not abuse its discretion by (1) excluding testimony, see *Jones v. Southern Pac. R.R.*, 962 F.2d 447, 450 (5th Cir. 1992); (2) admitting hearsay

*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.

evidence, see FED. R. EVID. 803, Advisory Committee Notes; and (3) denying his motion for a new trial, see *United States v. McWaine*, 243 F.3d 871, 874 (5th Cir. 2001).

AFFIRMED