

July 22, 2003

Charles R. Fulbruge III  
Clerk

IN THE UNITED STATES COURT OF APPEALS

FOR THE FIFTH CIRCUIT

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No. 02-50581

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UNITED STATES OF AMERICA

Plaintiff - Appellee

v.

ROBERTO LOPEZ RIVERA, also known as "Raton";  
JOSE ABEL RODRIGUEZ; HUGO VILLARREAL-SOLIS,  
also known as "El Pecho de Oro"

Defendants - Appellants

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Appeals from the United States District Court  
for the Western District of Texas  
No. SA-01-CR-314

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Before KING, Chief Judge, and HIGGINBOTHAM and BARKSDALE, Circuit  
Judges.

PER CURIAM:\*

Defendants-Appellants Roberto Lopez Rivera, Jose Abel  
Rodriguez, and Hugo Villarreal-Solis appeal their convictions for  
crimes related to the ongoing operation of a large marijuana

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\* 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that this opinion should not be published and is not precedent  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.

distribution organization. Rivera was convicted of one count of murder, as well as counts related to conspiracy to possess and distribute marijuana and firearms violations. Rodriguez was convicted of two counts of murder, along with marijuana conspiracy, firearms, and money laundering offenses. Finally, Villarreal (the leader of the group) was convicted on three counts of murder and multiple counts of conspiracy to possess and distribute marijuana, firearms offenses, and money laundering. Each defendant received a sentence of life in prison plus additional time.

Each of the defendants has raised numerous issues on appeal, all of which have been briefed comprehensively by such defendant's counsel and by the government. We have heard argument, and we have reviewed such portions of the record as necessary to address the points raised by the defendants. There is no reversible error in the conviction or sentence of any defendant, and the evidence is more than sufficient to support the convictions.

Defendants Villarreal and Rodriguez have also filed motions to remand this case for an evidentiary hearing to determine whether the government at trial failed to turn over evidence required by Brady v. Maryland, 373 U.S. 83 (1963), and the Jencks Act, 18 U.S.C. § 3500 (2000). These motions are denied without prejudice to the right of the defendants to raise the issues

addressed in the motions in a proceeding under 18 U.S.C. § 2255 for collateral relief from conviction.

The judgment of conviction and sentence of each defendant are AFFIRMED. All pending motions are DENIED.