

June 13, 2007

Charles R. Fulbruge III
Clerk

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 06-50940
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

KAY WHISENHUNT,

Defendant-Appellant.

Appeal from the United States District Court
for the Western District of Texas
USDC No. 7:05-CR-253-1

Before JOLLY, DENNIS, and CLEMENT, Circuit Judges.

PER CURIAM:*

Kay Whisenhunt was convicted by a jury of seven drug-related offenses. She challenges the sufficiency of the evidence supporting her convictions of possession with the intent to distribute methamphetamine on October 24, 2005, and attempting to possess with the intent to distribute methamphetamine on October 28, 2005.

Whisenhunt did not move for a judgment of acquittal in the district court. Accordingly, we will review the sufficiency of the evidence only to determine whether Whisenhunt's conviction

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

constitutes a manifest miscarriage of justice. United States v. Griffin, 324 F.3d 330, 356 (5th Cir. 2003). Viewing the evidence in the light most favorable to the verdict, we have determined that a rational trier of fact could have found that the evidence established Whisenhunt's guilt beyond a reasonable doubt as to both offenses. Therefore, Whisenhunt's convictions did not result in a manifest miscarriage of justice. See id.

The judgment of the district court is AFFIRMED.