

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

United States Court of Appeals
Fifth Circuit

FILED

November 13, 2007

Charles R. Fulbruge III
Clerk

No. 07-50219
Summary Calendar

UNITED STATES OF AMERICA

Plaintiff-Appellee

v.

JOSE DE JESUS QUIROZ-VILLADO

Defendant-Appellant

Appeal from the United States District Court
for the Western District of Texas
USDC No. 3:06-CR-1025-1

Before KING, DeMOSS, and BENAVIDES, Circuit Judges.

PER CURIAM:*

Jose De Jesus Quiroz-Villado (Quiroz) was convicted by a jury of possession of marijuana with intent to distribute and was sentenced to 60 months of imprisonment and four years of supervised release.

Quiroz argues on appeal that there was insufficient evidence to show that he knew that the tractor-trailer that he was driving contained marijuana. However, when viewed in the light most favorable to the jury's verdict, a reasonable trier of fact could have found that the evidence established that

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

Quiroz's suspicious actions, inconsistent statements, and implausible explanation indicated that he knew that the tractor-trailer contained marijuana. See *United States v. Resio-Trejo*, 45 F.3d 907, 910 (5th Cir. 1995); *United States v. Casilla*, 20 F.3d 600, 606-07 (5th Cir. 1994); *United States v. Martinez*, 975 F.2d 159, 160-61 (5th Cir. 1992).

AFFIRMED.