

**IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT**

No. 17-40027

United States Court of Appeals
Fifth Circuit

FILED

April 5, 2018

Lyle W. Cayce
Clerk

UNITED STATES OF AMERICA,

Plaintiff - Appellee

v.

HECTOR MENDEZ,

Defendant - Appellant

Appeal from the United States District Court
for the Southern District of Texas
USDC No. 7:15-CR-938-2

Before ELROD, COSTA, and HO, Circuit Judges.

PER CURIAM:*

A jury convicted Hector Mendez of cocaine trafficking offenses. The government's allegations that the jury accepted showed the following about Mendez, who was a police officer in Mission, Texas. Mendez abused his law enforcement position by working with a confidential informant to steal and sell cocaine that was being delivered to the informant. Mendez took the entire load of cocaine, removed some to sell for his own benefit, and then combined the remaining cocaine with pancake mix to try and restore the original weight of

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

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the load. Mendez then put the diluted cocaine in a car parked in front of a barbecue restaurant and staged a seizure of the load.

Mendez challenges his convictions on numerous grounds. Having heard oral argument and reviewed the briefing, record, and applicable law, we find no reversible error. The only claim of error that has any merit relates to a hearsay statement a witness offered mentioning the weight of the drugs found by a DEA lab. But that single statement did not add anything the jury did not already know because the parties had stipulated to the weight the DEA recorded. That means any hearsay error was harmless. The judgment is **AFFIRMED**.