

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 91-8586  
Summary Calendar

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UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

MODESTO SERNA SANCHEZ, JR.,  
also known as Number 6,

Defendant-Appellant.

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Appeal from the United States District Court  
for the Western District of Texas  
(W-90-CR-121)

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January 28, 1999

Before KING, Chief Judge, GARWOOD and SMITH, Circuit Judges.

PER CURIAM:\*

Modesto Serna Sanchez, Jr. appeals from the district court's denial of his request for the production of notes prepared by federal agents who debriefed several plea-bargaining codefendants. Sanchez argues that the district court erred by determining that the debriefing notes prepared by the government agents contained

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 R.47.5 the Court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

neither *Brady* nor Jencks Act material. We have reviewed the record and find no reversible error. Any error committed by the district court in determining that the debriefing notes were not Jencks Act material is harmless. See *United States v. Hodgkiss*, 116 F.3d 116, 118 (5th Cir. 1997). Further, Sanchez has failed to show that the notes contained any material favorable to him under *Brady*. Accordingly, the judgment of the district court is AFFIRMED.