

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 93-7744

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UNITED STATES OF AMERICA,  
  
Plaintiff-Appellee,  
  
versus  
  
THARWAT M. HAMAMCY,  
  
Defendant-Appellant.

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Appeal from the United States District Court  
for the Southern District of Texas  
(93 CR 92 2)

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( April 6, 1995)

Before REYNALDO G. GARZA, HIGGINBOTHAM, and PARKER, Circuit Judges.

PER CURIAM:\*

With the benefit of briefs and oral argument, we are persuaded that there is sufficient evidence to support Hamamcy's conviction, and that the district court did not abuse its discretion in admitting evidence of marital communications.

Conflicting inferences may be drawn from the contract assigning to Little 40% of the net profits of the medical practice,

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\*Local Rule 47.5 provides: "The publication of opinions that have no precedential value and merely decide particular cases on the basis of well-settled principles of law imposes needless expense on the public and burdens on the legal profession." Pursuant to that Rule, the Court has determined that this opinion should not be published.

but, unfortunately for Hamamcy, one of those permissable inferences is that he intended to bribe the bank officer.

We are persuaded that Hamamcy waived the marital privilege by inviting Agent Hildreth to talk to his ex-wife and giving him her phone number.

AFFIRMED.