

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 94-60644
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

CHESTER D. EDWARDS,
a/k/a "CHET",

Defendant-Appellant.

- - - - -
Appeal from the United States District Court
for the Northern District of Mississippi
USDC No. 1:93-CR-008-B
- - - - -

February 9, 1996

Before KING, SMITH and BENAVIDES, Circuit Judges.

PER CURIAM:*

Chester Edwards appeals his convictions for threatening and using intimidation against federal witnesses and his sentence for possession with intent to distribute marijuana. The evidence was sufficient to support his convictions under 18 U.S.C. §§ 1512(b) and 1513. United States v. Charroux, 3 F.3d 827, 830-31 (5th Cir. 1993); United States v. Maggitt, 784 F.2d 590, 593-94 (5th Cir. 1986). The district court did not abuse its discretion in admitting evidence of the 8 mm. rifle and ammunition. United States v. Johnson, 558 F.2d 744, 746 (5th Cir. 1977), cert. denied, 434 U.S. 1065 (1978).

* Pursuant to Local Rule 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in Local Rule 47.5.4.

The district court did not commit reversible error in allowing the Government to cross-examine one of Edwards's character witnesses. United States v. West, 58 F.3d 133, 141 (5th Cir. 1995). Federal Bureau of Investigation Agent William O. Rives did not testify as an expert. See United States v. Darland, 659 F.2d 70, 72 (5th Cir. 1981), cert. denied, 454 U.S. 1157 (1982). The district court did not abuse its discretion in admitting specific evidence regarding Edwards's marijuana because the evidence was relevant to show motive for obstruction of justice. United States v. White, 972 F.2d 590, 599 (5th Cir. 1992), cert. denied, 113 S. Ct. 1651 (1993). The district court did not plainly err in admitting the tape recording of Edwards's conversation with one of the federal witnesses. The Government attorney did not commit plain error during closing arguments. United States v. Calverley, 37 F.3d 160, 162-64 (5th Cir. 1994) (en banc), cert. denied, 115 S. Ct. 1266 (1995).

The district was not clearly erroneous in determining the amount of marijuana attributable to Edwards. United States v. Maseratti, 1 F.3d 330, 340 (5th Cir. 1993), cert. denied, 115 S. Ct. 282 (1994). The district court properly enhanced the offense level for the marijuana charge for obstruction of justice. U.S.S.G. § 3C1.1, comment. (n.6). The district court did not clearly err in refusing a downward adjustment for acceptance of responsibility. United States v. Gonzalez, 19 F.3d 982, 983 (5th Cir.), cert. denied, 115 S. Ct. 229 (1994).

AFFIRMED.