

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 95-11064  
Conference Calendar

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UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

NELSON CALDERON,

Defendant-Appellant.

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Appeal from the United States District Court  
for the Northern District of Texas  
USDC No. 3:95-CR-097  
- - - - -

October 23, 1996

Before POLITZ, Chief Judge, and JOLLY AND HIGGINBOTHAM, Circuit Judges.

PER CURIAM:\*

Nelson Calderon appeals his convictions of conspiring to possess with intent to distribute in excess of 100 grams of methamphetamine and to possess with intent to distribute in excess of 500 grams of cocaine; using a telephone to facilitate the possession with intent to distribute cocaine and possession with intent to distribute methamphetamine; possession with intent

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\* Pursuant to Local Rule 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in Local Rule 47.5.4.

to distribute methamphetamine in excess of 100 grams; possession with intent to distribute in excess of 500 grams of cocaine; and using a person under 18 years of age to possess with intent to distribute methamphetamine and cocaine. He argues that the district court abused its discretion when it admitted Government Exhibit 28 into evidence. We have reviewed the record and briefs of the parties and hold that the admission of the document, even if it was inadmissible, was harmless error because it was cumulative of other testimony. See United States v. Allie, 978 F.2d 1401, 1408-09 (5th Cir. 1992), cert. denied, 113 S. Ct. 1662 (1993).

AFFIRMED.