

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 95-30829
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

MICHAEL A. NEWELL,

Defendant-Appellant.

- - - - -
Appeal from the United States District Court
for the Western District of Louisiana
USDC No. CR-95-50027-01
- - - - -

June 21, 1996

Before DAVIS, BARKSDALE, and DeMOSS, Circuit Judges.

PER CURIAM:*

Michael A. Newell appeals his conviction for passing counterfeit United States currency. He claims that there was insufficient evidence to support his conviction, that the district court erred in allowing a government agent to testify as a lay witness under FED. R. EVID. 701, and that the district court impermissibly commented on the evidence.

* Pursuant to Local Rule 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in Local Rule 47.5.4.

Based on our review of the record, we conclude that the evidence was sufficient. See **United States v. Acosta**, 972 F.2d 86, 89 (5th Cir. 1992). And, the admission of the agent's Rule 701 testimony was not an abuse of discretion. See, e.g., **United States v. Dotson**, 799 F.2d 189, 194 (5th Cir. 1986). Finally, as for the district court's comments on the agent's testimony, no objection was made on that basis; the comments did not amount to plain error. See, e.g., **United States v. Calverley**, 37 F.3d 160, 162-64 (5th Cir. 1994) (en banc), *cert. denied*, ___ U.S. ___, 115 S. Ct. 1266 (1995).

AFFIRMED