

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 96-20751
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

DEXTER BERNARD GREEN,

Defendant-Appellant.

- - - - -
Appeal from the United States District Court
for the Southern District of Texas
USDC No. CR-H-95-273-1
- - - - -

April 02, 1998

Before JONES, SMITH, and STEWART, Circuit Judges.

PER CURIAM:*

Dexter Bernard Green appeals from his conviction of being a convicted felon in possession of a firearm. Green contends that the district court erred by allowing Kenneth Satterwhite to testify that Green and his confederates were planning a robbery. He argues that Satterwhite's testimony related to an extrinsic offense that was inadmissible under FED. R. EVID. 404(b); that the prejudicial effect of the testimony outweighed the probative nature of the testimony; and that the limiting instruction did

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

not cure the prejudice caused by the admission of the testimony.

Satterwhite's testimony was intrinsic to Green's possession of a firearm. *United States v. Coleman*, 78 F.3d 154, 156 (5th Cir.), *cert. denied*, 117 S. Ct. 230 (1996). The prejudicial effect of Satterwhite's testimony did not substantially outweigh the probative nature of the testimony. FED. R. EVID. 403.

AFFIRMED.