

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 96-60400
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

DANNY TWANA BOOSE,

Defendant-Appellant.

- - - - -
Appeal from the United States District Court
for the Northern District of Mississippi
USDC No. 1:95-CR082-S
- - - - -

October 29, 1996

Before SMITH, DUHÉ, and BARKSDALE, Circuit Judges.

PER CURIAM:*

Danny Twana Boose appeals his conviction for kidnapping and sexual assault. He argues that the district court erred by disallowing the testimony of Altheria Forbes concerning statements made by the victim to Forbes.** For essentially the

* Pursuant to Local Rule 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in Local Rule 47.5.4.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 the extent that Boose contends that the district court erred by disallowing certain cross-examination of the victim's husband, we conclude that no abuse of discretion occurred because, as explained by the district court, the matter was not relevant. See Fed. R. Evid. 401, 402.

same reasons as explained by the district court during the trial, we conclude that the court did not abuse its discretion. See United States v. Townsend, 31 F.3d 262, 267-68 (5th Cir. 1994), cert. denied, 115 S. Ct. 773 (1995).

AFFIRMED.