

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 97-41548  
Summary Calendar

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UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

JOHN DERRICK SKIPPER,

Defendant-Appellant.

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Appeal from the United States District Court  
for the Eastern District of Texas  
(1:97-CR-49-1)

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October 30, 1998

Before JOHNSON, HIGGINBOTHAM, and DAVIS, Circuit Judges.

PER CURIAM:\*

John Derrick Skipper appeals his conviction for two counts of possession with intent to distribute cocaine base. Skipper argues that the evidence is insufficient to support the jury's verdict.<sup>1</sup> In support of his insufficiency argument, he alleges that the testimony of the government's confidential informant was not credible.

The standard under which this court reviews a claim of legal insufficiency is whether "a rational trier of fact could have found that

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5th CIR.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

<sup>1</sup>The defendant complied with FED. R. CRIM. PRO. 29(c) to preserve error on this point.

the evidence establishes the essential elements of the offense beyond a reasonable doubt." United States v. El-Zoubi, 993 F.2d 442, 445 (5th Cir. 1993) (citations omitted). This standard leaves the assessment of the credibility of the witnesses as well as the weight of the evidence within the exclusive province of the jury. See id. In reviewing an insufficiency claim, we must consider the evidence in the light most favorable to the government. See Glasser v. United States, 315 U.S. 60, 80 (1942); United States v. Bermea, 30 F.3d 1539, 1551 (5th Cir. 1994). After careful analysis of the record, we find that the evidence was sufficient to support a reasonable juror's finding of guilt beyond a reasonable doubt on all of the essential elements of the charged offense.

AFFIRMED.