

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 98-40928

UNITED STATES OF AMERICA

Plaintiff-Appellee

v.

MARIO TREVINO TUNCHEZ

Defendant-Appellant

Appeal from the United States District Court
for the Southern District of Texas, Brownsville
(B-98-CR-158-2)

January 10, 2001

Before KING, Chief Judge, and HIGGINBOTHAM and DUHÉ, Circuit
Judges.

PER CURIAM:*

With the benefit of able oral argument by both counsel, we
are persuaded that there was no plain error when, at the
commencement of trial, the district court failed to give a
limiting instruction relating to the guilty plea of a co-
defendant that had occurred between voir dire and trial.

*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this opinion should not be published and is not precedent except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.

The judgment of conviction and sentence of defendant-appellant Mario Trevino Tunchez are AFFIRMED.