

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 99-20527
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

MAE JUNE HICKS,

Defendant-Appellant.

- - - - -
Appeal from the United States District Court
for the Southern District of Texas
USDC No. H-98-CR-195-1
- - - - -

May 2, 2000

Before SMITH, BARKSDALE, and PARKER, Circuit Judges.

PER CURIAM:*

Mae June Hicks appeals her jury convictions for conspiracy to commit money laundering, mail fraud, and wire fraud. The record is not adequately developed in this direct criminal appeal for this court to review Hicks' ineffective assistance of counsel claim. Accordingly, we decline to consider this claim without prejudice to Hicks' right to raise the claim in a 28 U.S.C. § 2255 motion. See United States v. Rivas, 157 F.3d 364, 369 (5th Cir. 1998). We discern no plain error in the district court's failure to order sua sponte the production of a summary

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

report prepared by an unidentified federal agent who had interviewed Hicks' coconspirator. The district court did not abuse its discretion in its handling of Hicks' cross-examination of her coconspirator. See United States v. Alexius, 76 F.3d 642, 644 (5th Cir. 1996). Finally, the prosecutor's comments during closing do not cast serious doubt on the correctness of the jury's verdict in light of the overwhelming evidence of Hicks' guilt and the court's curative instruction to the jury. See United States v. Morrow, 177 F.3d 272, 299 (5th Cir. 1999), cert. denied, 120 S. Ct. 333, 514, 600 (1999), and 120 S. Ct. 814 (2000). Accordingly, the judgment of the district court is AFFIRMED.