

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 97-40117
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

PAULA YVETTE FEWELL,

Defendant-Appellant.

Appeal from the United States District Court
for the
Eastern District of Texas
(6:96-CR-27-2)

August 26, 1997

Before JOHNSON, JONES, and DeMOSS, Circuit Judges.

PER CURIAM:*

Paula Yvette Fewell, defendant, appeals her conviction for conspiracy to possess with intent to distribute cocaine and possession of cocaine with intent to distribute. Fewell contends that the district court erred in (1) admitting "other crimes" evidence regarding seizure of cocaine and other items from her apartment approximately three weeks after the arrest for the present conviction, and (2) instructing the jury as to "deliberate

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5th CIR.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

ignorance."

After thoroughly reviewing Fewell's arguments and the record, we determine that the district court did not abuse its discretion in ruling that the probative value of the evidence admitted outweighed its potential to prejudice Fewell. See FED. R. EVID. 403, 404(b); United States v. Beechum, 582 F.2d 898, 903 n. 1, 911 (5th Cir. 1978) (en banc). Furthermore, we hold that the district court did not err in instructing the jury as "deliberate indifference" because the evidence supported an inference thereof. See United States v. Cartwright, 6 F.3d 294, 301 (5th Cir. 1993); United States v. Lara-Velasquez, 919 F.2d 946, 951 (5th Cir. 1990).

AFFIRMED.