IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 99-41253
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

OSCAR MARTINEZ-LOPEZ,

Defendant-Appellant.

Appeal from the United States District Court
for the Southern District of Texas
USDC No. M-90-CR-247-1

May 25, 2000

Before DAVIS, DUHÉ and DeMOSS, Circuit Judges.

PER CURIAM:[1]

Oscar Martinez-Lopez challenges his conviction for conspiracy to possess with the intent to distribute more than 100 but less than 1000 kilograms of marijuana, in violation of 21 U.S.C. §§ 841(a)(1), 841(b)(1)(B), and 846. He argues that the evidence was insufficient to overcome his entrapment defense. He argues that the Government used a confidential informant to lure him into participating in the drug deal, which crime he was not otherwise predisposed to committing.

The standard of review is the same as that which applies to

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

sufficiency of the evidence. United States v. Rodriguez, 43 F.3d 117, 126 (5th Cir. 1995). This court accepts every fact in the light most favorable to the conviction and will reverse only if no rational jury could have found beyond a reasonable doubt that Martinez was predisposed to commit the offense. See United States v. Sandoval, 20 F.3d 134, 137 (5th Cir. 1994).

The appellant has not demonstrated error in connection with the rejection of his entrapment defense. The trial testimony reflects that the appellant was eager to enter into the transaction proposed by the Government. His enthusiastic participation in the drug deal is sufficient to prove that he was predisposed to committing the offense. See United States v. Chavez, 119 F.3d 342, 346 (5th Cir. 1997).

The appellant has failed to demonstrate any error in connection with his conviction, and the district court's judgment is affirmed.

AFFIRMED.