

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 05-4951

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

versus

ALICE P. GOODE,

Defendant - Appellant.

Appeal from the United States District Court for the Eastern District of Virginia, at Richmond. James R. Spencer, Chief District Judge. (CR-04-381)

Submitted: April 26, 2006

Decided: May 25, 2006

Before LUTTIG* and WILLIAMS, Circuit Judges, and HAMILTON, Senior Circuit Judge.

Affirmed by unpublished per curiam opinion.

Mary Katherine Martin, ELIADES & ELIADES, Hopewell, Virginia, for Appellant. Paul J. McNulty, United States Attorney, Stephen W. Miller, Assistant United States Attorney, Richmond, Virginia, for Appellee.

*Judge Luttig was a member of the original panel but did not participate in this decision. This opinion is filed by a quorum of the panel pursuant to 28 U.S.C. § 46(d).

Unpublished opinions are not binding precedent in this circuit.
See Local Rule 36(c).

PER CURIAM:

Alice P. Goode appeals her conviction by a jury of conspiracy to make false statements to acquire firearms from a federally licensed firearms dealer and to cause the dealer to maintain false records (Count 1), in violation of 18 U.S.C. § 371 (2000), making a false statement in connection with the acquisition of a Jennings 9mm semi-automatic pistol from a federally licensed firearms dealer (Count 20), in violation of 18 U.S.C. §§ 2, 922(a)(6) (2000), and causing a federally licensed firearms dealer to maintain false records with regard to the Jennings firearm (Count 41), in violation of 18 U.S.C. § 2 and 18 U.S.C.A. § 924(a)(1)(A) (West 2000 & Supp. 2005). She contends that the district court erred by denying her motion for judgment of acquittal pursuant to Fed. R. Crim. P. 29. We affirm.

Goode contends that the evidence did not support her convictions. We review de novo the district court's denial of a Rule 29 motion. United States v. Uzenski, 434 F.3d 690, 700 (4th Cir. 2006). Where, as here, the motion was based on claims of insufficient evidence, "[t]he verdict of a jury must be sustained if there is substantial evidence, taking the view most favorable to the Government, to support it." Glasser v. United States, 315 U.S. 60, 80 (1942). We have reviewed the trial testimony in the joint appendix and the materials contained in the supplemental joint appendix and are convinced that the evidence was sufficient to

convict Goode on all counts. See United States v. Cardwell, 433 F.3d 378, 390 (4th Cir. 2005) (discussing elements of § 371 offense), cert. denied, ___ U.S. ___, 2006 WL 565581 (U.S. Apr. 3, 2006) (No. 05-9567); United States v. Abfalter, 340 F.3d 646, 653 (8th Cir. 2003) (discussing elements of § 924(a)(1)(A) offense); United States v. Dillon, 150 F.3d 754, 759 (7th Cir. 1998) (discussing elements of § 922(a)(6) offense).

Accordingly, we affirm Goode's convictions. We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process.

AFFIRMED