

UNPUBLISHED
UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

UNITED STATES OF AMERICA,
Plaintiff-Appellee,
v.
CATHERINE H. SAUNDERS,
Defendant-Appellant.

No. 00-4629

Appeal from the United States District Court
for the Eastern District of Virginia, at Alexandria.
Claude M. Hilton, Chief District Judge.
(CR-00-266)

Submitted: March 30, 2001

Decided: April 18, 2001

Before WILLIAMS, KING, and GREGORY, Circuit Judges.

Affirmed by unpublished per curiam opinion.

COUNSEL

Alan H. Yamamoto, Alexandria, Virginia, for Appellant. Helen F. Fahey, United States Attorney, Paul A. Embroski, Special Assistant United States Attorney, Alexandria, Virginia, for Appellee.

Unpublished opinions are not binding precedent in this circuit.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

OPINION

PER CURIAM:

A magistrate judge convicted Catherine H. Saunders of driving while under the influence, reckless driving, refusal to submit to a blood test, and interference with agency functions. The district court denied Saunders' objections and affirmed the magistrate judge's determination on appeal. In the instant appeal, Saunders challenges only her convictions and sentence for driving under the influence and reckless driving, alleging insufficiency of evidence. Finding no error, we affirm.

When reviewing the sufficiency of the evidence, the trial verdict 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). The evidence at trial established that Saunders failed four field sobriety tests, had taken prescription pain and asthma medication that day, and had consumed a beer with lunch. Further, evidence established that Saunders was sensitive to medication. Based on these facts and the testimony of three officers describing Saunders' abusive, bizarre, and disrespectful behavior, we find the evidence was sufficient for a rational trier of fact to find that Saunders drove while under the influence of drugs or alcohol or a combination thereof. 32 C.F.R. § 234.17(c)(3)(i). We further find the evidence that Saunders operated her car at a high rate of speed and crossed the center lines sufficient to support a finding of guilt on the charge of reckless driving. 32 C.F.R. § 234.17(a) (2001) (incorporating Va. Code Ann. § 46.2-852 (Michie 1998)).

We therefore affirm Saunders' convictions and sentence. 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