

AUG 13 2012

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

ANDRES COLLADO-ROJAS,

Defendant - Appellant.

No. 11-30190

D.C. No. 4:10-cr-00073-BLW-6

MEMORANDUM*

Appeal from the United States District Court
for the District of Idaho
B. Lynn Winmill, Chief District Judge, Presiding

Submitted August 9, 2012**
Seattle, Washington

Before: GRABER, RAWLINSON, and BLACK***, Circuit Judges.

Appellant Andres Collado-Rojas (Collado-Rojas) challenges his convictions for conspiracy to distribute methamphetamine and possession of methamphetamine

* This disposition is not appropriate for publication and is not precedent except as provided by 9th Cir. R. 36-3.

** The panel unanimously concludes this case is suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

*** The Honorable Susan H. Black, United States Senior Circuit Judge for the Eleventh Circuit, sitting by designation.

with intent to distribute. Collado-Rojas maintains that there was insufficient evidence to support his convictions because he was misidentified as his brother.

Given the numerous in-court identifications of Collado-Rojas as involved in the methamphetamine conspiracy, there was sufficient evidence supporting Collado-Rojas's convictions and, viewing the evidence in the light most favorable to the prosecution, "*any* rational trier of fact could have found the essential elements of the crime beyond a reasonable doubt," including Collado-Rojas's identity. *United States v. Del Toro-Barboza*, 673 F.3d 1136, 1143 (9th Cir. 2012) (citation omitted) (emphasis in the original).

AFFIRMED.