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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

<p>UNITED STATES OF AMERICA,</p> <p>Plaintiff-Appellee,</p> <p>v.</p> <p>ALFONSO SANCHEZ-ELORZA,</p> <p>Defendant-Appellant.</p>
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No. 12-30110

D.C. No. 4:11-CR-00175-ELJ-3

MEMORANDUM*

Appeal from the United States District Court
for the District of Idaho
Edward J. Lodge, District Judge, Presiding

Argued and Submitted April 11, 2013
Seattle, Washington

Before: CALLAHAN and TASHIMA, Circuit Judges, and COLLINS, District
Judge.**

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

** The Honorable Raner C. Collins, United States District Judge for the
District of Arizona, sitting by designation.

This case arises from the district court's denial of Appellant's motion for judgment of acquittal. On appeal, such a claim is reviewed de novo. *United States v. Ruiz*, 462 F.3d 1082, 1087-88 (9th Cir. 2006). We must determine, viewing the evidence in the light most favorable to the government, whether any rational trier of fact could have found that the government proved each element of the charged crimes beyond a reasonable doubt. *Jackson v. Virginia*, 443 U.S. 307, 319 (1979).

The record in this case shows more than Appellant's mere presence in the vehicle. A reasonable juror could have determined that Appellant knew the drugs were in the trunk, that he played a part in putting the drugs in the trunk, that he knew that a drug transaction was going to take place at the Fort Hall casino, and that he accompanied the conspirators to the casino in furtherance of the drug transaction. Appellant "has not pointed to evidence so supportive of innocence that *no* rational trier of fact could find guilt beyond a reasonable doubt." *United States v. Nevils*, 598 F.3d 1158, 1169 (9th Cir. 2010) (emphasis added).

AFFIRMED.