NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

UNITED STATES OF AMERICA,	No. 13-10570
Plaintiff - Appellee,	D.C. No. 2:11-cr-01243-SRB-4
v.	
ROBERT GENE WHITE,	MEMORANDUM*
Defendant - Appellant.	

Appeal from the United States District Court
for the District of Arizona
Susan R. Bolton, District Judge, Presiding

Argued December 11, 2014
Submitted December 22, 2014
San Francisco, California

Before: O'SCANNLAIN, FISHER, and HURWITZ, Circuit Judges.

Robert White appeals his jury conviction of one count of Conspiracy to

Possess with Intent to Distribute Marijuana and Cocaine, one count of Conspiracy

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

to Launder Money Instruments, and three counts of Transactional Money Laundering.

I

There was sufficient evidence to support White's convictions. Evidence included direct testimony from a co-conspirator, physical evidence connecting White to the drug and money laundering conspiracies, White's nervous behavior when questioned by law enforcement, White's repeated contact with multiple members of the conspiracy, and White's own purchases and financial transactions.

In light of such evidence, construed in the light most favorable to the government, a rational trier of fact could have found the essential elements of the charged crimes beyond a reasonable doubt. *United States v. Shetler*, 665 F.3d 1150, 1163 (9th Cir. 2011).

II

The district court did not abuse its discretion by admitting evidence under Federal Rule of Evidence 404(b) against White. The evidence was material and similar to the charged crimes, was not too remote in time, and was itself supported by sufficient evidence. *United States v. Chea*, 231 F.3d 531, 534 (9th Cir. 2000). Moreover, given the court's limiting instruction, the probative value of the 404(b) evidence was not substantially outweighed by the risk of unfair prejudice. *See id.*

AFFIRMED.