

United States Court of Appeals
FOR THE EIGHTH CIRCUIT

No. 06-3617

United States of America,	*
	*
Plaintiff - Appellee,	*
	*
v.	* Appeal from the United States
	* District Court for the
	* District of South Dakota.
Bonnie Sheeler,	*
	*
Defendant - Appellant.	* [UNPUBLISHED]

Submitted: April 4, 2007
Filed: July 5, 2007

Before LOKEN, Chief Judge, BEAM and BYE, Circuit Judges.

PER CURIAM.

A jury convicted Bonnie Sheeler on charges of conspiracy to distribute and possession with intent to distribute 100 kilograms or more of marijuana. Sheeler appeals, arguing the district court¹ should not have admitted two co-conspirator statements into evidence.

This court reviews admission of co-conspirator statements under Fed. R. Evid. 801(d)(2)(E) for abuse of discretion. We will reverse a district court's evidentiary

¹ The Honorable John Bailey Jones, United States District Judge for the District of South Dakota.

ruling only if it was a clear and prejudicial abuse of discretion. United States v. Mahasin, 362 F.3d 1071, 1084 (8th Cir. 2004). The trial court's discretion as to evidentiary rulings is particularly broad in a conspiracy trial. United States v. Dierling, 131 F.3d 722, 730 (8th Cir. 1997).

Having carefully reviewed the record and the parties' submissions on appeal, we find the district court did not abuse its discretion in admitting the co-conspirator statements. We affirm. See 8th Cir. R. 47B.
