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No. 95-3734

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United States of America,

Appellee,

v.

David Anthony Waddle,

Appellant.

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\* Appeal from the United States  
\* District Court for the  
\* Southern District of Iowa.  
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\* [UNPUBLISHED]  
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Submitted: April 9, 1996

Filed: July 17, 1996

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Before BEAM, and MURPHY, Circuit Judges, and BURNS,\* District Judge.

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BEAM, Circuit Judge.

David Waddle purchased a 1995 Chrysler LHS in Columbus, Ohio. He paid for it with an insufficient funds check in the amount of \$29,718.40. He then drove the car to Iowa where he was arrested on an unrelated charge. Waddle was charged with possession of and interstate transportation of a stolen vehicle. A jury convicted him of both counts. He was sentenced to thirty-five months in prison.

Waddle appeals alleging the district court<sup>1</sup> erred in: (1) admitting evidence of his prior convictions for forgery and theft of a vehicle under false pretenses; (2) excluding evidence of his

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\*The HONORABLE JAMES M. BURNS, United States District Judge for the District of Oregon, sitting by designation.

<sup>1</sup>The Honorable Ronald E. Longstaff, United States District Judge for the Southern District of Iowa.

filing of a complaint against an FBI agent (theorizing the FBI's treatment of him was somehow affected by that filing); (3) instructing the jury that the intention to pay for the vehicle at a later date was not a defense; and (4) concluding at sentencing that the purchasing scheme evidenced more than minimal planning. Having reviewed the parties' briefs and submissions, we conclude the district court's rulings were correct. Accordingly, we affirm. See 8th Cir. R. 47B.

A true copy.

Attest:

CLERK, U. S. COURT OF APPEALS, EIGHTH CIRCUIT.