

United States Court of Appeals
FOR THE EIGHTH CIRCUIT

No. 97-1476SD

United States of America,

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Appellee,

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Appeal from the United States
District Court for the District
of South Dakota.

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v.

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Roger J. Raether,

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[UNPUBLISHED]

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Appellant.

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Submitted: October 23, 1997

Filed: October 30, 1997

Before FAGG, WOLLMAN, and MORRIS SHEPPARD ARNOLD, Circuit Judges.

PER CURIAM.

Roger J. Raether appeals his conviction and sentence for conspiring to make false statements to the General Service Administration and to convert tribal property. Raether contends the district court improperly denied Raether's motion to dismiss because the conspiracy was a legal impossibility. Raether also raises several contentions related to the admissibility of evidence offered by the government, the instructions given to the jury, and the sufficiency of the evidence to support the jury's verdict. Raether also raises an argument about his sentence. A review of the record shows that Raether's claims are without merit, and a discussion of the issues will serve no useful purpose. We affirm Raether's conviction and sentence. See 8th Cir. R. 47B.

A true copy.

Attest:

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