

United States Court of Appeals
FOR THE EIGHTH CIRCUIT

No. 98-3955

United States of America,

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Appellee,

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v.

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Appeal from the United States
District Court for the Western
District of Missouri.

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Raymond Keith Gailey,

*

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Appellant.

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[UNPUBLISHED]

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Association of American Physicians and
Surgeons; Missouri State Medical
Association,

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Amicus Curaie on
behalf of Appellant.

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Submitted: April 20, 1999
Filed: May 7, 1999

Before BOWMAN, Chief Judge,* FAGG, Circuit Judge, and BOGUE,** District Judge.

PER CURIAM.

Raymond Keith Gailey appeals his conviction for mail fraud. Gailey contends the evidence is insufficient to support the jury's verdict. Gailey also contends the district court improperly instructed the jury on past similar bad acts. We reject Gailey's contentions and conclude that an extended discussion of the issues presented by this appeal will serve no precedential purpose. First, the record contains substantial evidence on which the jury reasonably could have found Gailey guilty of the charge. Second, the district court correctly instructed the jury on past bad acts evidence. We thus affirm Gailey's conviction. See 8th Cir. R. 47B.

A true copy.

Attest:

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

*The Honorable Pasco M. Bowman stepped down as Chief Judge of the United States Court of Appeals for the Eighth Circuit at the end of the day on April 23, 1999. He has been succeeded by the Honorable Roger L. Wollman.

**The Honorable Andrew W. Bogue, United States District Judge for the District of South Dakota, sitting by designation.