

[DO NOT PUBLISH]

IN THE UNITED STATES COURT OF APPEALS
FOR THE ELEVENTH CIRCUIT

No. 13-11576
Non-Argument Calendar

D.C. Docket No. 5:12-cr-00328-KOB-TMP-1

UNITED STATES OF AMERICA,

Plaintiff -Appellee,

versus

ANTHONY RAY POINTER,

Defendant -Appellant.

Appeal from the United States District Court
for the Northern District of Alabama

(February 4, 2014)

Before TJOFLAT, JORDAN, and EDMONDSON, Circuit Judges.

PER CURIAM:

Anthony Ray Pointer appeals his conviction for possession of a firearm in furtherance of a drug trafficking crime, in violation of 18 U.S.C. § 924(c). At trial, the district court denied Pointer's motion pursuant to Federal Rule of Criminal Procedure 29 on the firearm charge, 18 U.S.C. § 924(c). Given that Pointer's gun (.45 auto pistol) was loaded, easily accessible in the shop where he sold cocaine, and in close proximity to drugs and money that could have been drug proceeds, a reasonable jury could have found a sufficient nexus between the gun and the drug trafficking crime to establish a violation of § 924(c). Besides, Pointer had stated that he kept the gun to protect his business; and a reasonable jury could believe that his business included drug trafficking. Thus, the evidence presented at trial was sufficient to establish that Pointer possessed his gun in furtherance of a drug trafficking crime.

AFFIRMED.