

[DO NOT PUBLISH]

IN THE UNITED STATES COURT OF APPEALS

FOR THE ELEVENTH CIRCUIT

\_\_\_\_\_  
No. 07-12124  
\_\_\_\_\_

FILED  
U.S. COURT OF APPEALS  
ELEVENTH CIRCUIT  
October 31, 2008  
THOMAS K. KAHN  
CLERK

D.C. Docket No. 05-00247 CR-T-23-MAP

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

SCOTT SCHWEICKERT,  
a.k.a. MstrScott,

Defendant-Appellant.

\_\_\_\_\_  
Appeal from the United States District Court  
for the Middle District of Florida  
\_\_\_\_\_

**(October 31, 2008)**

Before ANDERSON, BARKETT and HILL, Circuit Judges.

PER CURIAM:

In a three-count indictment, a federal grand jury charged Scott Schweickert with conspiracy to possess a controlled substance, gamma-hydroxybutyric acid, (GHB), with intent to distribute it to others without their knowledge and with intent to commit a crime of violence, in violation of 21 U.S.C. §§ 846 and 841(b)(7)(A) and (B) (Count One), and did knowingly and intentionally distribute for human consumption GHB to Victims #1 and #2, without their knowledge and with the intent to commit a crime of violence, in violation of 21 U.S.C. §§ 841(a)(1) and 841(b)(7)(A), (B), and 18 U.S.C. § 2 (Counts Two and Three). A jury found Schweickert guilty of conspiracy with Steven Lorenzo (Count One) and distribution of GHB to Victim #2 (Count Three). Schweickert was acquitted on Count Two pertaining to Victim #1. The district court sentenced him to serve consecutive terms of twenty years' imprisonment on each count of conviction, or forty years.

Schweickert now raises five evidentiary issues on appeal. He also raises a sixth issue that there was insufficient evidence to sustain his conviction.

After oral argument and careful consideration, we find that the district court did not abuse its discretion or plainly err in its evidentiary rulings. The evidentiary arguments raised on appeal are wholly without merit and rejected

without need for further discussion.<sup>1</sup>

In addition, we conclude that there was ample and sufficient evidence of Scweickert's conspiracy with Lorenzo and his participation in the drug distribution of GHB to support the jury's verdict of conviction of Scweickert on Counts One and Three.

AFFIRMED.

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<sup>1</sup> They are, that the court erred (1) in denying Scweickert's motion to suppress certain statements; (2) in admitting internet chats made by co-conspirator Lorenzo; (3) in admitting photos of Lorenzo and Scweickert; (4) in admitting internet chats made between Lorenzo and Scweickert; and (5) in not granting a new trial based on cumulative evidentiary errors.