

United States Court of Appeals
For the Eighth Circuit

No. 22-3108

United States of America

Plaintiff - Appellee

v.

Ramon Diego Pacheco

Defendant - Appellant

Appeal from United States District Court
for the District of Minnesota

Submitted: April 26, 2023

Filed: May 5, 2023

[Unpublished]

Before KELLY, ERICKSON, and STRAS, Circuit Judges.

PER CURIAM.

Ramon Pacheco received a 198-month prison sentence after a jury found him guilty of conspiring to distribute at least 50 grams of a mixture containing methamphetamine. *See* 21 U.S.C. §§ 841(a)(1), (b)(1)(B), 846. He asks us to vacate his conviction and sentence because the jury should not have been told about a prior

drug conviction, the verdict was against the weight of the evidence, and the district court¹ miscalculated how much actual methamphetamine he distributed.

We conclude there was no abuse of discretion in admitting the prior conviction or denying a new trial. See *United States v. Monds*, 945 F.3d 1049, 1052 (8th Cir. 2019) (explaining that prior drug convictions can show “knowledge” and “intent”); *United States v. Clayton*, 787 F.3d 929, 935 (8th Cir. 2015) (emphasizing that the jury’s verdict should “stand unless the evidence weighs heavily enough against [it] . . . that a miscarriage of justice may have occurred” (quotation marks omitted)). Nor did the district court clearly err in calculating the drug quantity. See *United States v. Madison*, 863 F.3d 1001, 1006 (8th Cir. 2017) (describing the “well-established” procedure for determining the purity of unrecovered methamphetamine). We accordingly affirm the judgment of the district court.

¹The Honorable Wilhelmina M. Wright, United States District Judge for the District of Minnesota.