

January 4, 2007

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

Charles R. Fulbruge III  
Clerk

---

No. 05-20705  
Summary Calendar

---

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

GAVREL ESTRADA,

Defendant-Appellant.

-----  
Appeal from the United States District Court  
for the Southern District of Texas  
USDC No. 4:04-CR-241-ALL  
-----

Before JONES, Chief Judge, and KING and DAVIS, Circuit Judges.

PER CURIAM:\*

Gavrel Estrada appeals his guilty-plea conviction and 30-month sentence for possession of a firearm by a felon. Estrada contends that the district court erred in denying his motion to suppress. As there is a manifestation of a reservation of appellate rights in the record, Estrada has not waived his right to appeal the district court's judgment denying the motion to suppress. United States v. Bell, 966 F.2d 914, 916-17 (5th Cir. 1992).

Within the context of a consensual encounter with police, an officer may approach an individual, identify himself, briefly

---

\*Pursuant to 5TH CIR. R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR. R. 47.5.4.

question the person being stopped, and ask for identification. See  
INS v. Delgado, 466 U.S. 210, 216 (1984). Estrada concedes his  
suppression argument is foreclosed by this Supreme Court precedent.

AFFIRMED.