

FILED

June 12, 2007

UNITED STATES COURT OF APPEALS
For the Fifth Circuit

No. 06-60683

Charles R. Fulbruge III
Clerk

UNITED STATES OF AMERICA

Plaintiff-Appellee

VERSUS

TONTE DEON WALKER

Defendant-Appellant

Appeal from the United States District Court
For the Southern District of Mississippi, Gulfport
1:05-CR-94-LG

Before HIGGINBOTHAM, DAVIS, and WIENER, Circuit Judges.

PER CURIAM:¹

After reviewing the record and considering the briefs of the parties and argument of counsel we are satisfied that the district court did not err in finding that the Mayor of Biloxi declared a curfew that was in effect at the time the officers stopped the defendant on the streets of Biloxi. For that reason, the district court did not err in denying Walker's motion to suppress. Accordingly the judgment appealed from is affirmed.

AFFIRMED.

¹Pursuant 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 R. 47.5, the Court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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.