

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 01-40391
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

HECTOR ALONZO,

Defendant-Appellant.

- - - - -
Appeal from the United States District Court
for the Southern District of Texas
USDC No. L:00-CR-238-1
- - - - -

January 2, 2002

Before SMITH, DUHÉ, and BARKSDALE, Circuit Judges.

PER CURIAM:¹

Hector Alonzo appeals his jury trial conviction for possession with intent to distribute marijuana. He argues that the district court erred in denying his motion to suppress by determining that the stop of his vehicle was tantamount to a stop at a border patrol checkpoint, thereby negating the requirement that the stop be supported by reasonable suspicion. In particular, he contends that his case is distinguishable from United States v. Hasette, 898 F.2d 994 (5th Cir. 1990), since he made a right hand turn rather than a

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

u-turn prior to entering the checkpoint. In addition, he suggests that Hasette contradicts controlling precedent of this circuit.

We have reviewed the record and the briefs submitted by the parties and hold that the district court properly applied Hasette to Alonzo's case when denying his motion to suppress. See Hasette, 898 F.2d at 995; see also United States v. Ramirez-Lujan, 976 F.2d 930, 933 (5th Cir. 1992); United States v. Martinez, 597 F.2d 509, 510 (5th Cir. 1979). Alonzo's argument that Hasette contradicts controlling precedent of this circuit lacks merit. See United States v. Machuca-Barrera, 261 F.3d 425, 432 n.15 (5th Cir. 2001)

AFFIRMED.