

**FILED**

January 3, 2007

UNITED STATES COURT OF APPEALS  
FIFTH CIRCUIT

Charles R. Fulbruge III  
Clerk

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No. 06-40352  
Summary Calendar

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UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

RICARDO TREVINO,

Defendant-Appellant.

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Appeal from the United States District Court  
for the Southern District of Texas  
(1:05-CR-421-2)

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Before DAVIS, BARKSDALE, and BENAVIDES, Circuit Judges.

PER CURIAM:\*

Ricardo Trevino, convicted of conspiracy to possess with the intent to distribute more than 100 kilograms of marijuana, appeals the denial of his motion to suppress his confession. Trevino claims he was coerced into confessing by government threats to arrest and imprison his wife (who had been detained) and place his child in the custody of Child Protective Services.

The voluntariness of a confession is reviewed *de novo*; the factual findings underlying that determination, for clear error.

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

*E.g.*, **United States v. Bell**, 367 F.3d 452, 460-61 (5th Cir. 2004).  
Based on our review of the record, the district court did not err  
in finding, under the totality of the circumstances, Trevino's  
confession voluntary. See *id.* at 461.

**AFFIRMED**