

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 95-10495
(Summary Calendar)

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

GEORGE DUDLEY,

Defendant-Appellant.

Appeal from the United States District Court
for the Northern District of Texas
(3:94-CR-204-D-2)

February 26, 1996

Before JOLLY, JONES, and STEWART, Circuit Judges.

PER CURIAM:*

George Dudley entered a conditional guilty plea to one count of possession with intent to deliver more than 500 grams of cocaine. Pursuant to his plea agreement, he now appeals the district court's denial of his motion to suppress. Dudley argues that DEA agents executed an unconstitutional search of bags held by his accomplice Charlene Jones because she did not have authority to give consent to the search and that the agents did not have reasonable suspicion to stop Jones. Dudley contends that the Government did not meet its burden of proof on the consent issue

*Pursuant to Local Rule 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in Local Rule 47.5.4.

at the suppression hearing. Dudley further contends that the drug quantity as stated in his plea agreement should have been used in sentencing and, thus, the district court erred by using an amount stated in the Presentence Report.

We have reviewed the record, the district court's opinion, and the briefs; and we perceive no reversible error. Accordingly, we affirm the district court's denial of Dudley's motion to suppress. Dudley's conviction and sentence are
AFFIRMED.