

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 97-10258
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

JOE DAVID FLORES, JR.,

Defendant-Appellant.

- - - - -
Appeal from the United States District Court
for the Northern District of Texas
USDC No. 5:96-CR-35-1
- - - - -
November 19, 1997

Before JONES, SMITH and STEWART, Circuit Judges.

PER CURIAM:*

Joe David Flores, Jr., appeals the district court's denial of his motion to suppress evidence and his subsequent conditional guilty-plea conviction for being a felon in possession of a firearm. Flores argues that his detention by law enforcement officials was not a brief investigatory stop but was an arrest requiring probable cause. Viewing the totality of the circumstances in the light most favorable to the Government, the district court did not err in determining that Flores' detention was an investigatory stop justified by a reasonable suspicion of

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

criminal activity. United States v. Gonzales, 79 F.3d 413, 419 (5th Cir.), cert. denied, 117 S. Ct. 183 (1996); Terry v. Ohio, 392 U.S. 1, 18-20 (1968). Accordingly, the district court did not err in denying the motion to suppress. Because we find that Flores' detention was a Terry stop justified by a reasonable suspicion, we need not address Flores' second point of error regarding the district court's determination that the search was justified by the officers' good-faith belief that the search warrant they were executing also covered Flores.

AFFIRMED.