

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 99-30760  
Summary Calendar

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UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

ABDUL JEROME HAYES,

Defendant-Appellant.

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Appeal from the United States District Court  
for the Western District of Louisiana  
USDC No. 99-CR-60001-1  
- - - - -

December 22, 1999

Before SMITH, BARKSDALE, and PARKER, Circuit Judges.

PER CURIAM:\*

Abdul Jerome Hayes appeals his conditional guilty-plea conviction of possession of a firearm by a felon, a violation of 18 U.S.C. § 922(g). Hayes argues that the district court erred in denying his motion to suppress the firearm that police officers seized from his bag, as he did not consent to speak with the officers.

The district court did not clearly err in rejecting Hayes' testimony in favor of that of the officers who testified at the suppression hearing. See United States v. Chavez-Villarreal, 3

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

F.3d 124, 126 (5th Cir. 1993); United States v. Garza, 118 F.3d 278, 283 (5th Cir. 1997) (this court will not second-guess district court's credibility determinations), cert. denied, 118 S. Ct. 699 (1998). The district court also did not err in holding that the defendant freely and voluntarily consented to the search of his bag. See United States v. Kelley, 981 F.2d 1464, 1470 (5th Cir. 1993) (voluntary consent can validate warrantless search).

Accordingly, the judgment of the district court is AFFIRMED.