

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 99-40985  
Conference Calendar

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UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

PAUL HUTCHINS,

Defendant-Appellant.

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Appeal from the United States District Court  
for the Eastern District of Texas  
USDC No. 99-40985  
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April 13, 2000

Before WIENER, DeMOSS and PARKER, Circuit Judges.

PER CURIAM:\*

Having entered a conditional guilty plea to unlawful possession of a machine gun in violation of 18 U.S.C. § 922(o)(1), Paul Hutchins appeals the district court's denial of his motion to suppress evidence. Hutchins argues that his wife, Kimberley Hutchins, lacked authority to authorize searches of their home and of a storage facility rented in Paul Hutchins' name. Based on the evidence presented at the suppression hearing, we find no error in the district court's determination that Kimberley Hutchins had the authority to consent to both

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

searches. United States v. Tellez, 11 F. 3d 530, 532 (5th Cir. 1993).

AFFIRMED.