

June 1, 2005

Charles R. Fulbruge III  
Clerk

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 04-30628  
Summary Calendar

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UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

JOHN CHARLES THOMAS,

Defendant-Appellant.

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Appeal from the United States District Court  
for the Western District of Louisiana  
USDC No. 5:03-CR-50104-ALL-TS  
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Before GARZA, DeMOSS, and CLEMENT, Circuit Judges.

PER CURIAM:\*

John Charles Thomas appeals from his jury-trial convictions for being a felon in possession of a firearm and ammunition. Thomas argues that the district court erred in denying his motion to suppress the evidence underlying his convictions. Specifically, Thomas contends that investigating officers lacked reasonable suspicion to conduct a pat-down search. Thomas further challenges the officers' credibility, asserting that they

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

testified to facts supporting the search for the first time at the hearing on the motion to suppress.

The evidence presented at the suppression hearing supports the district court's finding that the officers had reasonable suspicion to conduct a pat-down search. See United States v. Webster, 162 F.3d 308, 332 (5th Cir. 1998). Because we will not disturb the district court's witness credibility findings, we reject Thomas's challenge to the veracity of the officers' suppression hearing testimony. United States v. Garza, 118 F.3d 278, 282-83 (5th Cir. 1997).

AFFIRMED.