

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 00-10252
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

RONNIE BOURGEOIS,

Defendant-Appellant.

Appeal from the United States District Court
for the Northern District of Texas
USDC No. 4:99-CR-66-1-Y

November 2, 2000

Before SMITH, BENAVIDES, and DENNIS, Circuit Judges.

PER CURIAM:*

Ronnie Bourgeois was convicted of willfully and knowingly by force taking money in custody and care of a bank official in violation of 18 U.S.C. § 2113(a). Bourgeois argues that his conviction should be reversed because the district court erred in failing to suppress the fruits of an illegal search. Because the district court did not enter findings of fact in denying the motion to suppress, this court "must independently review the record to determine whether any reasonable view of the evidence supports admissibility." United States v. Yeagin, 927 F.2d 798,

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

800 (5th Cir. 1991); United States v. Michelletti, 13 F.3d 838, 841 (5th Cir. 1994)(en banc).

Bourgeois's argument that he would not have been linked with the Fort Worth bank robbery without discovery of the white coin bag is not persuasive. The evidence produced at the suppression hearing shows that the white coin bag was discovered under a search warrant based on evidence which was independent of the questionable sweep. The sweep did not, even indirectly, result in the seizure of the bag. In this case, the poisonous tree of which Bourgeois complains bore no fruit. See United States v. Miller, 146 F.3d 274, 279 (5th Cir. 1998). Under any reasonable view of the evidence, Bourgeois has not shown that the district court erred in admitting the evidence of the white coin bag and its contents.

AFFIRMED.