

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 00-50463
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

JUAN MARTIN RODRIGUEZ,

Defendant-Appellant.

Appeal from the United States District Court
for the Western District of Texas
USDC No. A-98-CR-269-1

January 23, 2001

Before REAVLEY, DeMOSS and BENAVIDES, Circuit Judges.

PER CURIAM:*

Juan Martin Rodriguez contends the district court erred by denying his motion to suppress. Evidence was seized from Rodriguez's residence pursuant to a warrant that was obtained based on information known to officers prior to their initial entry into Rodriguez's residence. Although the warrant application contained a fact that became known to officers only after their initial entry, the warrant is sufficient when this fact is excised from it. Consequently, the district court did not err in denying the motion. See Segura v. United States, 468

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

U.S. 796 (1984), United States v. Carrion, 809 F.2d 1120 (5th Cir. 1987), United States v. Restrepo, 966 F.2d 964 (5th Cir. 1992). Accordingly, the judgment of the lower court is AFFIRMED.