

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 00-50614
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

JEFFERY ALAN LEROY,

Defendant-Appellant.

Appeal from the United States District Court
for the Western District of Texas
USDC No. P-00-CR-65-1

May 21, 2001

Before POLITZ, HIGGINBOTHAM, and DeMOSS, Circuit Judges.

PER CURIAM:*

Jeffery Alan Leroy appeals his conditional guilty plea conviction for possession with intent to distribute a quantity of marihuana. He contends that the district court erred in denying his motion to suppress, asserting that the traffic stop resulting in his arrest violated the Fourth Amendment.

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

In reviewing a trial court's ruling on a motion to suppress we review questions of law de novo, and we accept factual findings unless they are clearly erroneous,¹ or influenced by an incorrect view of the law.² All relevant evidence is viewed in the light most favorable to the prevailing party, in the instant case the government.³

To establish reasonable suspicion, the acting officer must identify specific, articulable facts, and reasonable inferences therefrom, that reasonably warrant a suspicion that a specific vehicle is involved in illegal activity.⁴ Consideration of the relevant factors herein, viewed in the totality of the circumstances and in the light most favorable to the prosecution, persuades that there was reasonable suspicion for the constitutionally challenged stop of Leroy's vehicle.

Accordingly, the judgment appealed is AFFIRMED.

¹United States v. Castro, 166 F.3d 728 (5th Cir.)(en banc), cert. denied, 528 U.S. 827 (1999),

²United States v. Muniz-Melchor, 894 F.2d 1430 (5th Cir. 1990).

³Castro, 166 F.3d at 731.

⁴United States v. Cortez, 449 U.S. 411 (1981); United States v. Brignoni-Ponce, 422 U.S. 873 (1975).