

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 01-50113

UNITED STATES OF AMERICA

Plaintiff-Appellee

v.

BOBBY LEE EARLS

Defendant-Appellant

Appeal from the United States District Court
for the Western District of Texas

November 6, 2001

Before KING, Chief Judge, DAVIS, Circuit Judge, and VANCE*,
District Judge.

PER CURIAM:**

Defendant-Appellant Bobby Lee Earls appeals his conviction on one count of possession with intent to distribute five grams or more of cocaine base in violation of 21 U.S.C. §§ 841(a)(1) and (b)(1)(B). Specifically, Earls challenges the district court's denial of his motion to suppress the evidence seized as a

*District Judge of the Eastern District of Louisiana,
sitting by designation.

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

result of what Earls contends was an illegal stop and detention. We need not decide whether the information contained in the anonymous tip alone was sufficiently reliable to provide reasonable suspicion for a Terry stop. The combination of the anonymous tip and the independent corroborating observations of the investigating officers--the shouted warning by the woman in the apartment complex, Earls's evasive and nervous behavior, and his presence in an area known for drug trafficking--was sufficient to provide the officers with reasonable suspicion to stop the cab in which Earls was riding. See Illinois v. Wardlow, 528 U.S. 119, 124 (2000). The motion to suppress was correctly denied.

Earls's conviction and sentence are AFFIRMED.