

August 22, 2003

Charles R. Fulbruge III
Clerk

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 02-50792
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

JAIME NAVARRO-GUTIERREZ,

Defendant-Appellant.

Appeal from the United States District Court
for the Western District of Texas
(P-01-CR-426-1)

Before JOLLY, JONES, and WIENER, Circuit Judges.

PER CURIAM:*

Defendant-Appellant Jaime Navarro-Gutierrez ("Navarro") appeals his conviction for possession of marijuana with intent to distribute. He argues that the district court erred in denying a motion to suppress. Navarro was stopped by an experienced border patrol agent who noticed that the vehicle, like those frequently used in immigration schemes, was traveling in an area known for smuggling incidents very near the Mexican border in a manner that invited suspicion. When viewed in the totality of the

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

circumstances, these facts demonstrate that the Border Patrol agents had a reasonable suspicion, which justified their making the stop. Thus, the court correctly denied Navarro's suppression motion. See United States v. Espinosa-Alvarado, 302 F.3d 304, 305-06 (5th Cir. 2002). Accordingly, the judgment of the district court is

AFFIRMED.

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