

November 11, 2004

Charles R. Fulbruge III  
Clerk

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 04-30239  
Summary Calendar

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UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

MARVIN D. YOUNG, also known as Marvin Young,

Defendant-Appellant.

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Appeal from the United States District Court  
for the Western District of Louisiana  
USDC No. 03-CR-50056-1  
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Before GARZA, DeMOSS, and CLEMENT, Circuit Judges.

PER CURIAM:\*

Marvin D. Young appeals his conditional guilty-plea conviction for conspiracy to distribute 500 grams or more of a mixture or substance containing a detectable amount of powder cocaine. He avers that the district court erred in denying his motion to suppress evidence a result of a search of his residence. Young argues that the district court's finding, that exigent circumstances not manufactured by the Government existed supporting the warrantless entry into his home, is clearly erroneous.

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

The district court's determination that exigent circumstances supported the warrantless entry is not clearly erroneous. See *United States v. Blount*, 123 F.3d 831, 837, 839 (5th Cir. 1997) (en banc). The court's finding that officers did not manufacture the exigency also is supported by the evidence introduced at the suppression hearing. See *United States v. Rico*, 51 F.3d 495, 502-03 (5th Cir. 1995).

AFFIRMED.