

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

United States Court of Appeals  
Fifth Circuit

**FILED**

April 15, 2008

\_\_\_\_\_  
No. 07-50650  
Conference Calendar  
\_\_\_\_\_

Charles R. Fulbruge III  
Clerk

UNITED STATES OF AMERICA

Plaintiff-Appellee

v.

DAVID DELACRUZ, also known as David De-La-Cruz

Defendant-Appellant

\_\_\_\_\_  
Appeal from the United States District Court  
for the Western District of Texas  
USDC No. 6:05-CR-209-1  
\_\_\_\_\_

Before PRADO, OWEN, and SOUTHWICK, Circuit Judges.

PER CURIAM:\*

David Delacruz appeals his guilty plea conviction for possession with intent to distribute methamphetamine and aiding and abetting and possession of a firearm in furtherance of a drug trafficking crime and aiding and abetting. He argues that the district court erred in denying his motion to suppress evidence. Delacruz's voluntary and unconditional guilty plea waived all nonjurisdictional defects that occurred prior to the plea. See *United States v. Lampazianie*, 251 F.3d 519, 525 (5th Cir. 2001). Accordingly, the argument is waived and the conviction is AFFIRMED.

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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