

**IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT**

No. 18-40772
Summary Calendar

United States Court of Appeals
Fifth Circuit

FILED
August 21, 2019

Lyle W. Cayce
Clerk

UNITED STATES OF AMERICA,

Plaintiff-Appellee

v.

SANTOS EFREN JURADO-GARCIA,

Defendant-Appellant

Appeal from the United States District Court
for the Southern District of Texas
USDC No. 5:18-CR-10-1

Before WIENER, HAYNES, and COSTA, Circuit Judges.

PER CURIAM:*

Santos Efren Jurado-Garcia pleaded guilty, pursuant to a plea agreement, to one count of conspiracy to transport illegal aliens within the United States. Pursuant to the agreement, Jurado-Garcia reserved the right to appeal the district court's denial of his motion to suppress evidence. He asserts that the district court clearly erred in finding the warrantless search

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

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of his residence was constitutional under the exigent circumstances and protective sweep exceptions to the Fourth Amendment's warrant requirement.

We need only address the protective sweep ruling. The record supports the district court's findings that the post-arrest protective sweep was permitted given that the officers had reasonable grounds to believe that there were both unsecured weapons and unsecured people in the home, posing a security risk to officers on the scene. *See United States v. Mendez*, 431 F.3d 420, 428 (5th Cir. 2005). Thus, the district court did not clearly err in finding that the warrantless search of Jurado-Garcia's residence was justifiable under the protective sweep exception to the Fourth Amendment's warrant requirement. *See United States v. Robinson*, 741 F.3d 588, 594 (5th Cir. 2014). Accordingly, the judgment of the district court is AFFIRMED.