UNITED STATES COURT OF APPEALS

FOR THE FIFTH CIRCUIT

No. 92-1681
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

DONALD WAYNE STEPHENS,

Defendant-Appellant.

Appeal from the United States District Court for the
Northern District of Texas
(CR3 92 148 H)

(January 7, 1993)

Before GARWOOD, JONES, and EMILIO M. GARZA, Circuit Judges.*

PER CURIAM:

Appellant-defendant Donald Wayne Stephens (Stephens) waived indictment and pursuant to a plea bargain pleaded guilty to an information charging him with possession of a firearm by a previously convicted felon contrary to 18 U.S.C. §§ 922(g)(1) and 924(e). Stephens's plea was accepted and he was convicted and

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*Local Rule 47.5 provides: "The publication of opinions that have no precedential value and merely decide particular cases on the basis of well-settled principles of law imposes needless expense on the public and burdens on the legal profession." Pursuant to that Rule, the Court has determined that this opinion should not be published.

sentenced to 188 months confinement. His plea, pursuant to Rule 11(a)(2), Federal Rules of Criminal Procedure, reserved his right to appeal the district court's denial of his motion to suppress evidence.

Stephens now appeals, claiming only that the district court erred in denying his pretrial motion to suppress evidence. This motion sought to suppress evidence found when Stephens was arrested pursuant to two arrest warrants issued by a City of Dallas Municipal Judge. Stephens's sole argument on appeal is that the arrest warrants were invalid because the affidavits contained insufficient information to establish probable cause and further were too "bare bones" to justify application of the "good faith" exception to the exclusionary rule of *Leon v. United States*, 104 S.Ct. 3405 (1984). We disagree and reject Stephens's contentions for essentially the same reasons as given by the district judge in his well considered memorandum order denying the motion to suppress in which he concluded that the affidavits sufficiently established probable cause to justify issuance of the warrant, *see also United States v. Privette*, 947 F.2d 1259, 1262 (5th Cir. 1991) (corroboration afforded "by detail of the statement"), and that in any event the *Leon* "good faith" exception applied because "the arresting officers' reliance on the arrest warrants was reasonable." We agree. By no stretch of the imagination can it be said that the affidavits were "so lacking in indicia of probable cause as to render official belief in its existence *entirely* unreasonable." *Leon* at 3421 (emphasis added). *See also United States v. Pigrum*, 922 F.2d 249, 252 (5th Cir.), *cert. denied*, 111

S.Ct. 2064 (1991) (affidavit containing "more than . . . wholly conclusionary statements" supports application of *Leon* exception); *United States v. Webb*, 950 F.2d 226, 229-30 (5th Cir. 1991).

Stephens also suggests that *Leon* does not extend to arrestsQas opposed to searchsQwarrants. We have held otherwise. *See United States v. Benavides*, 854 F.2d 701, 702 (5th Cir.), *cert. denied*, 488 U.S. 973 (1988); *United States v. DeLeon-Reyna*, 930 F.2d 936, 400-401 (5th Cir. 1991).

We accordingly reject Stephens's complaints concerning the overruling of his motion to suppress, and therefore his conviction and sentence are

AFFIRMED.