

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 94-60440  
Conference Calendar

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UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

ANTONIO SALDANA,

Defendant-Appellant.

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Appeal from the United States District Court  
for the Southern District of Mississippi  
USDC No. 4:93-CR-21-BS  
- - - - -

(January 27, 1995)

Before POLITZ, Chief Judge, and HIGGINBOTHAM and DeMOSS,  
Circuit Judges.

PER CURIAM:\*

The district court concluded that Saldana possessed an adequate knowledge of English to belie his contention that he had not knowingly and voluntarily given his consent to search. The court credited the testimony of the arresting officer and of Customs agents who testified that they had conducted extensive conversations with Saldana in English. United States v. Alvarado, 898 F.2d 987, 991 (5th Cir. 1990)(holding that because the district court's finding of voluntariness rested on its

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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 Pursuant to that Rule, the Court has determined that this opinion should not be published.

decision to credit the testimony of the law enforcement officers over the testimony of the defendant, the court's finding should be affirmed). Because the district court's determination was not clearly erroneous, the ruling is AFFIRMED.