

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 95-20779  
Summary Calendar

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UNITED STATES OF AMERICA,

Plaintiff-Appellant,

versus

LUIS RODRIGUEZ,

Defendant-Appellee.

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Appeal from the United States District Court  
for the Southern District of Texas  
USDC No. H-94-249  
- - - - -

July 1, 1996

Before DAVIS, BARKSDALE and DeMOSS, Circuit Judges.

PER CURIAM:\*

Rodriguez appeals his guilty-plea conviction for conspiracy to possess, and possession with intent to distribute in excess of five kilograms of cocaine, in violation of 21 U.S.C. § 846. He contends the search of the vehicle he was driving violated his rights under the Fourth Amendment. However, Rodriguez's unconditional plea of guilty constitutes a waiver of any

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\* Pursuant to Local Rule 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in Local Rule 47.5.4.

objections to nonjurisdictional errors, including Fourth Amendment claims. See Tollett v. Henderson, 411 U.S. 258, 267, 93 S.Ct. 1602, 1608, 36 L.Ed.2d 235 (1973); United States v. Smallwood, 920 F.2d 1231, 1240 (5th Cir.), cert. denied, 501 U.S. 1238, 111 S.Ct. 2870, 115 L.Ed.2d 1035 (1991).

The appeal is frivolous. See 5th Cir. R. 42.2.

APPEAL DISMISSED.