

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 95-40588
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

RAUL DELEON,

Defendant-Appellant.

- - - - -
Appeal from the United States District Court
for the Southern District of Texas
USDC No. B-95-CR-24-1
- - - - -

June 14, 1996

Before DAVIS, BARKSDALE and DeMOSS, Circuit Judges.

PER CURIAM:*

Raul DeLeon appeals the denial of his pretrial motion to suppress evidence seized by State Trooper Oscar Cruz during an investigatory traffic stop. DeLeon contends that Cruz had no objective reason to stop him because, under Texas law, the display of a partially torn temporary "buyer's" license tag is not illegal and does not give rise to a reasonable suspicion that he was in violation of any law. Our review of the record and the arguments and authorities

* Pursuant to Local Rule 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in Local Rule 47.5.4.

convince us that the district court committed no reversible error. Cruz was justified in stopping DeLeon to investigate the validity of his temporary license tag. See Green v. State, 866 S.W.2d 701, 703 (Tex. Ct. App. 1993); Kennedy v. State, 847 S.W.2d 635, 636 (Tex. Ct. App. 1993). DeLeon's arguments that the district court erred in denying his motion to suppress because his detention subsequent to the initial investigation exceeded the scope and purpose of the initial stop and that he did not give voluntary consent to the search do not show that the district court committed plain error. United States v. Olano, 507 U.S. 725, 731-37 (1993)), cert. denied, 115 S. Ct. 1266 (1995); United States v. Calverley, 37 F.3d 160, 162-64 (5th Cir. 1994)(en banc).

AFFIRMED.