

UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

---

No. 96-40045  
Summary Calendar

---

UNITED STATES OF AMERICA,  
Plaintiff-Appellee,

versus

LEE ANTHONY FISHER,  
Defendant-Appellant.

---

Appeal from the United States District Court  
for the Eastern District of Texas  
(No. 1:95-CR-141)

---

December 4, 1996  
Before SMITH, DUHÉ, and BARKSDALE, Circuit Judges.

PER CURIAM:\*

Lee Anthony Fisher appeals his convictions for being a felon in possession of a firearm and for possession of cocaine base with the intent to distribute it, contending that the district court should have granted his motion to suppress. We conclude that Fisher failed to make a *prima facie* case that police officers conducted an unannounced entry in violation of the Fourth Amendment and that the district court did not commit clear error in finding that the entry did not violate the "knock and announce" principle.

---

\* Pursuant to Local Rule 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in Local Rule 47.5.4.

See *Wilson v. Arkansas*, \_\_\_ U.S. \_\_\_, 115 S. Ct. 1914 (1995); *United States v. Fike*, 82 F.3d 1315, 1323 (5th Cir.), cert. denied, sub. nom. *Douglas v. United States*, cert. denied, 117 S. Ct. 241 (1996); *United States v. Mueller*, 902 F.2d 336, 344 (5th Cir. 1990).

**AFFIRMED.**