

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 96-40193  
Summary Calendar

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UNITED STATES OF AMERICA,

Plaintiff-Appellee,

v.

LEWIS WILLARD SMITH,

Defendant-Appellant.

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Appeal from the United States District Court  
for the Eastern District of Texas  
(1:95-CR-93)

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January 16, 1997  
Before KING, JOLLY, and PARKER, Circuit Judges.

PER CURIAM:\*

Lewis Willard Smith appeals his conviction for possessing with the intent to distribute marijuana. He contends that the district court erred in denying his motion to suppress the evidence seized after his traffic stop.

Our review of the record and the arguments and authorities convinces us that the district court's refusal to suppress the

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\* Pursuant to Local Rule 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in Local Rule 47.5.4.

marijuana found in the search was not error. See United States v. Kelley, 981 F.2d 1464, 1467-72 (5th Cir. 1993).

AFFIRMED.