

UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 96-50595
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

CARLOS PILAR GARCIA-DELGADO,

Defendant-Appellant.

Appeal from the United States District Court
for the Western District of Texas
(MO-95-CR-68-1)

February 25, 1997

Before SMITH, DUHÉ, and BARKSDALE, Circuit Judges.

PER CURIAM:*

Carlos Pilar Garcia-Delgado entered a conditional guilty plea to possession with intent to distribute marijuana, reserving his right to appeal the denial of his motion to suppress evidence. Garcia-Delgado contends that his Fourth Amendment rights were violated because the Border Patrol Agent who stopped the vehicle he was driving on a private ranch road (this route allowed a bypass of Marfa, Texas, where the border patrol sector headquarters is located) lacked reasonable suspicion of criminal activity. He contends further that the Agent made a second illegal stop of the

* Pursuant to Local Rule 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in Local Rule 47.5.4.

vehicle and that he did not consent voluntarily to a search of the vehicle following that stop. Pursuant to our review of the record, we **AFFIRM** essentially for the reasons stated by the district court in its thorough, well-reasoned opinion. See **United States v. Garcia-Delgado**, No. MO-95-CR-068 (W.D. Tex. Feb. 14, 1996).

AFFIRMED