

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 99-10190
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

DONALD MACK MARTIN,

Defendant-Appellant.

Appeal from the United States District Court
for the Northern District of Texas
USDC No. 3:94-CR-105-ALL-T

January 11, 2000

Before JOLLY, JONES and BENAVIDES, Circuit Judges.

PER CURIAM:*

Donald Mack Martin was convicted pursuant to a guilty plea of contempt of court and of possession of firearms by a convicted felon in violation of 18 U.S.C. §§ 402, 922(g), 924(a)(2) and 924(e). As part of his plea agreement, Martin reserved the right to appeal the district court's denial of his motion to suppress the evidence of two firearms found when U.S. Marshals impounded and searched his El Camino. Martin contends that his vehicle was impounded and inventoried in violation of the Fourth Amendment because (1) the U.S. Marshals' procedures for impounding vehicles

* Pursuant to 5TH CIR. R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR. R. 47.5.4.

and conducting inventory searches are ambiguous and ill-defined; (2) the U.S. Marshals did not impound his car pursuant to a valid "caretaking" function; and (3) the inventory search was over broad and was not conducted according to standardized procedures.

The district court did not err in determining that the U.S. Marshals had sufficiently standardized procedures for impounding vehicles and for conducting inventory searches. See United States v. Bullock, 71 F.3d 171, 177 (1995).

Nor did the district court err in determining that Martin's vehicle was impounded pursuant to the U.S. Marshals' caretaking function, that the U.S. Marshals followed its procedures in impounding and searching Martin's vehicle, and that the search was not over broad. See id.; United States v. Ponce, 8 F.3d 989, 996 (5th Cir. 1993); United States v. Prescott, 599 F.2d 103, 106 (5th Cir. 1979).

Martin has not shown that the district court erred in denying his motion to suppress the evidence found in the warrantless search of his vehicle. The district court's judgment is AFFIRMED.