

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 99-51028  
Summary Calendar

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UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

TANISHA TEMPLETON,  
also known as Juna Marie Mitchell,

Defendant-Appellant.

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Appeal from the United States District Court  
for the Western District of Texas  
USDC No. MO-98-CR-ALL  
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September 7, 2000

Before REAVLEY, DeMOSS and BENAVIDES, Circuit Judges.

PER CURIAM:\*

Tanisha Templeton ("Templeton") appeals from her conviction for possession of more than five grams of cocaine base in violation of 21 U.S.C. § 844. Her conviction was based on a conditional plea, and Templeton now asserts that the district court erred in denying her motion to suppress. Because we conclude that Templeton lacks standing to raise a Fourth Amendment challenge to the seizure of evidence we affirm the judgment of the district court.

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\* Pursuant to 5th Cir. R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5th Cir. R. 47.5.4.

Templeton argues that she maintained a reasonable expectation of privacy in a purse and duffle bag located within a motel room that was searched by police after obtaining consent to search from Templeton's sister. Templeton asserts on appeal that the container with the cocaine found inside the duffle bag should have been suppressed. A review of the evidence at the suppression hearing, however, shows that Templeton denied staying in the motel room where the duffle bag was located and claimed ownership of only the purse. Therefore, Templeton lacked a reasonable expectation of privacy in a search of the room or the duffle bag. See United States v. Boruff, 909 F.2d 111, 116 (5th Cir. 1990); United States v. Alvarez, 6 F.3d 287, 289 (5th Cir. 1993). Additionally, evidence other than that found in the purse connected Templeton to the cocaine seized by police.

AFFIRMED.