

Not for Publication in West's Federal Reporter
United States Court of Appeals
For the First Circuit

No. 06-2603

UNITED STATES,

Appellee,

v.

LENN DIXON,

Defendant, Appellant.

APPEAL FROM THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF MAINE

[Hon. George Z. Singal, U.S. District Judge]

Before

Torruella, Circuit Judge,

Campbell, Senior Circuit Judge,

and Lynch, Circuit Judge.

Peter J. Cyr for appellant.

Margaret D. McGaughey, Appellate Chief, with whom Paula D. Silsby United States Attorney, was on brief for appellee.

December 20, 2007

Per Curiam. After the district court denied his motion to suppress drug evidence seized at the time of his arrest, defendant-appellant Dixon entered a conditional guilty plea to the one-count indictment charging him with distributing fifty grams or more of cocaine base in violation of 21 U.S.C. §§ 841(a)(1) and 841(b)(1)(A). The conditional plea reserved Dixon's right to seek appellate review of the court's disallowance of his suppression motion. That motion had been the subject of an evidentiary hearing before the Magistrate Judge whose comprehensive amended recommended decision was affirmed by the district court. Dixon appeals from his conviction, focusing on his contention that the court erred in denying his suppression motion.

We have heard argument and reviewed the parties' briefs and the record on appeal, examining the Magistrate Judge's findings of fact for clear error and his legal conclusions de novo. United States v. Coplin, 463 F.3d 96, 100 (1st Cir. 2006). Finding no error in the court's denial of the suppression motion, we **affirm** the judgment of conviction. In affirming, we do so substantially for the same reasons set out in the Magistrate Judge's February 3, 2006 amended recommended decision.