

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 09-4733

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

ALBERT LOPEZ WILLIAMS, JR.,

Defendant - Appellant.

Appeal from the United States District Court for the Middle
District of North Carolina, at Greensboro. William L. Osteen,
Jr., District Judge. (1:08-cr-00223-WO-1)

Submitted: August 10, 2010

Decided: September 10, 2010

Before NIEMEYER, KING, and DAVIS, Circuit Judges.

Affirmed by unpublished per curiam opinion.

A. Wayne Harrison, Sr., LAW OFFICES OF A. WAYNE HARRISON,
Greensboro, North Carolina, for Appellant. Anna Mills Wagoner,
United States Attorney, Randall S. Galyon, Assistant United
States Attorney, Greensboro, North Carolina, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Albert Lopez Williams, Jr., appeals the district court's order denying his motion to suppress the evidence seized following a North Carolina police officer's stop of Williams's vehicle on suspicion that Williams violated N.C. Gen. Stat. § 20-63(g) (2009), prohibiting the willful covering of any part of a registration plate. On appeal, Williams contends that the district court erred in finding that the stop was reasonable. We affirm.

In reviewing the district court's ruling on a motion to suppress, we review the district court's factual findings for clear error, and its legal determinations de novo. United States v. Cain, 524 F.3d 477, 481 (4th Cir. 2008). The facts are reviewed in the light most favorable to the prevailing party below. United States v. Jamison, 509 F.3d 623, 628 (4th Cir. 2007). A vehicle stop constitutes a seizure within the meaning of the Fourth Amendment, and is permissible if the officer has probable cause to believe a traffic violation has occurred, Whren v. United States, 517 U.S. 806, 809-10 (1996), or has a reasonable suspicion of unlawful conduct, Terry v. Ohio, 392 U.S. 1, 20-22 (1968), regardless of the officer's subjective motivations, Whren, 517 U.S. at 810, 813-19.

After reviewing the record, we hold that the district court's denial of Williams's motion to suppress was not in

error. Accordingly, we affirm the judgment of the district court. We dispense with oral argument because the facts and legal contentions are adequately expressed in the materials before the court and argument would not aid the decisional process.

AFFIRMED