

FILED

AUG 16 2017

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

v.

JOSE LUIS RODRIGUEZ,

Defendant-Appellant.

No. 15-50328

D.C. No.

2:14-cr-00590-CAS-1

MEMORANDUM*

Appeal from the United States District Court
for the Central District of California
Christina A. Snyder, District Judge, Presiding

Argued and Submitted August 7, 2017
Pasadena, California

Before: REINHARDT, KOZINSKI, and CHRISTEN, Circuit Judges.

The officers had a particularized and objective basis for suspecting the driver of the car in which Rodriguez was riding of breaking the law, and they therefore had a “reasonable suspicion” sufficient to lawfully stop the vehicle. *See* Cal. Vehicle Code §§ 5200, 4456(c), 11715; *see also Heien v. N. Carolina*, 135 S. Ct.

* This disposition is not appropriate for publication and is not precedent except as provided by Ninth Circuit Rule 36-3.

530, 536 (2014). The officers lawfully asked Rodriguez to step out of the car for the duration of the stop. *See Pennsylvania v. Mimms*, 434 U.S. 106, 110–111 & n.6 (1977). Rodriguez dropped drugs as he exited. When the officers found the drugs, they had probable cause to arrest him, and the subsequent search of the car in which he had been a passenger was lawful. *See United States v. Pinela–Hernandez*, 262 F.3d 974, 977–79 (9th Cir. 2001). The district court properly denied Rodriguez’s motion to suppress the evidence found in the car and the statements he made after his arrest. *See id.*

AFFIRMED.