

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 07-4124

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

versus

CORY WILLIAM JONES,

Defendant - Appellant.

Appeal from the United States District Court for the Western District of North Carolina, at Asheville. Lacy H. Thornburg, District Judge. (1:05-cr-00249-1)

Submitted: September 24, 2007

Decided: October 11, 2007

Before NIEMEYER and MOTZ, Circuit Judges, and HAMILTON, Senior Circuit Judge.

Affirmed by unpublished per curiam opinion.

Fredilyn Sison, FEDERAL DEFENDERS OF WESTERN NORTH CAROLINA, INC., Asheville, North Carolina, for Appellant. Gretchen C. F. Shappert, United States Attorney, Charlotte, North Carolina; Amy E. Ray, Assistant United States Attorney, Asheville, North Carolina, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Cory William Jones pled guilty to conspiracy to manufacture with intent to distribute methamphetamine, in violation of 21 U.S.C. §§ 841(a)(1), 846 (2000), reserving the right to appeal the district court's denial of his motion to suppress. Jones now appeals that denial, arguing that his consent was not voluntarily given; the officers exceeded the scope of the search; and the officers used deceptive practices to circumvent the warrant requirement. Finding no reversible error, we affirm.

This court reviews the factual findings underlying a motion to suppress for clear error, and the district court's legal determinations *de novo*. See Ornelas v. United States, 517 U.S. 690, 699 (1996). When a suppression motion has been denied, this court reviews the evidence in the light most favorable to the government. See United States v. Seidman, 156 F.3d 542, 547 (4th Cir. 1998).

With these standards in mind, and having reviewed the transcript of the suppression hearing and the parties' briefs, we conclude that the district court did not err in denying the motion to suppress. Accordingly, we affirm the judgment. We dispense with oral argument because the facts and legal contentions are

adequately presented in the materials before the court and argument would not aid the decisional process.

AFFIRMED