

United States Court of Appeals
Fifth Circuit

FILED

February 8, 2007

Charles R. Fulbruge III
Clerk

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 06-60243
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

ROBERT STEVENSON,

Defendant-Appellant.

Appeal from the United States District Court
for the Northern District of Mississippi
USDC No. 4:05-CR-63

Before KING, HIGGINBOTHAM, and GARZA, Circuit Judges.

PER CURIAM:*

Robert Stevenson appeals from his conviction for possession of over five grams of cocaine base with intent to distribute. He contends that the drugs found in a can in his vehicle should have been suppressed because the search was conducted without a warrant and in the absence of probable cause.

Because Stevenson doesn't challenge the legitimacy of the arrest and concedes that the crack was found in a container in the center console of his car, the district court correctly held that the officers discovered the drugs as a result of search

* 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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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.

incident to a valid arrest. See New York v. Belton, 453 U.S. 454, 460-61 (1981). Consequently, the judgment of the district court is AFFIRMED.