

UNPUBLISHED

**UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT**

|   |
|---|
| UNITED STATES OF AMERICA,<br><i>Plaintiff-Appellee,</i> |
| v.  |
| JOSE NAVARRETE,<br><i>Defendant-Appellant.</i>          |

No. 02-4061

Appeal from the United States District Court  
for the Eastern District of Virginia, at Alexandria.  
T. S. Ellis, III, District Judge.  
(CR-01-443)

Submitted: May 30, 2002

Decided: June 11, 2002

Before WILKINS, TRAXLER, and GREGORY, Circuit Judges.

---

Affirmed by unpublished per curiam opinion.

---

**COUNSEL**

Matthew W. Greene, SMITH & GREENE, P.L.L.C., Fairfax, Virginia, for Appellant. Paul J. McNulty, United States Attorney, Sean T. Martin, Special Assistant United States Attorney, Alexandria, Virginia, for Appellee.

---

Unpublished opinions are not binding precedent in this circuit. See Local Rule 36(c).

**OPINION**

## PER CURIAM:

Jose Navarrete appeals from the district court's order denying his motion to suppress evidence seized during a stop that occurred on June 3, 2001, after Navarrete accidentally exited onto and traveled along the access road to CIA headquarters at Langley, Virginia. Navarrete pled guilty to driving with a suspended license in violation of 32 C.F.R. § 1903.3 (2002) and Va. Code Ann. § 46.2-301 (Michie Supp. 2001), but reserved the right to appeal the denial of the suppression motion. On appeal, Navarrete argues that the access road to CIA Headquarters was not a public highway as defined by Virginia law.

Upon review of the briefs and joint appendix we find that the district court did not err in denying the motion to suppress. In reviewing a denial of a suppression motion, this court reviews the district court's legal conclusions de novo and factual findings for clear error. *United States v. Rusher*, 966 F.2d 868, 873 (4th Cir. 1992). In addition, when a suppression motion has been denied, this court reviews the evidence in the light most favorable to the government. *United States v. Seidman*, 156 F.3d 542, 547 (4th Cir. 1998). Under these standards, we conclude the district court properly denied Navarrete's motion to suppress the evidence for the reasons stated in its January 4, 2002, order and the magistrate judge's summary of proceedings filed on December 2, 2001, and order filed on October 30, 2001.

Accordingly, we affirm the district court's order denying the motion to suppress. 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*