

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 07-4958

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

EMMANUEL MAURICE CLIFTON,

Defendant - Appellant.

Appeal from the United States District Court for the Western District of North Carolina, at Charlotte. Robert J. Conrad, Jr., Chief District Judge. (3:06-cr-00110-RJC)

Submitted: May 2, 2008

Decided: June 18, 2008

Before MICHAEL and SHEDD, Circuit Judges, and WILKINS, Senior Circuit Judge.

Affirmed by unpublished per curiam opinion.

Claire J. Rauscher, Executive Director, Ross Richardson, FEDERAL DEFENDERS OF WESTERN NORTH CAROLINA, INC., Charlotte, 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Unpublished opinions are not binding precedent in this circuit.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:

Emmanuel Maurice Clifton pled guilty to possession of a firearm by a convicted felon, in violation of 18 U.S.C. § 922(g)(1) (2000), and was sentenced to ten months in prison. Police detained and ultimately arrested Clifton after hearing gunshots coming from the front of a residence located in a high-crime neighborhood and from which Clifton later emerged. Clifton's guilty plea was conditioned on his right to appeal the district court's denial of his motion to suppress his statement admitting to police that he fired one of the weapons heard by police, as well as the guns recovered by police after receiving his cousin's consent to search the residence. On appeal, Clifton challenges only the district court's denial of his motion to suppress. We affirm the district court's judgment.

This court reviews the district court's factual findings underlying a motion to suppress for clear error, and the district court's legal determinations de novo. See United States v. Gray, 491 F.3d 138, 143-44 (4th Cir. 2007) (internal citations omitted), cert. denied, 128 S. Ct. 1226 (2008). When a suppression motion has been denied, we review the evidence in the light most favorable to the Government. See United States v. Uzenski, 434 F.3d 690, 704 (4th Cir. 2006). 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 Clifton's motion to suppress.

Accordingly, we affirm the district court's 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