

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 11-4156

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

JONATHAN ENRIQUE ACOSTA-CORRALCO,

Defendant - Appellant.

Appeal from the United States District Court for the District of South Carolina, at Greenville. Henry M. Herlong, Jr., Senior District Judge. (6:10-cr-00411-HMH-2)

Submitted: July 28, 2011

Decided: August 24, 2011

Before DAVIS, KEENAN, and DIAZ, Circuit Judges.

Affirmed by unpublished per curiam opinion.

C. Carlyle Steele, Greenville, South Carolina, for Appellant.
William N. Nettles, United States Attorney, Andrew Burke Moorman, Sr., Assistant United States Attorney, Greenville, South Carolina, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Jonathan Enrique Acosta-Corralco appeals from his convictions for conspiracy to possess with intent to distribute 500 grams or more of cocaine, 5 grams or more of cocaine base, and 50 grams or more of a substance or mixture containing a detectable amount of methamphetamine, and possession of firearms in furtherance of a drug trafficking crime. On appeal, he challenges the denial of his motion to suppress evidence seized from a residence pursuant to the execution of a search warrant. We affirm.

Acosta-Corralco pled guilty without entering a conditional guilty plea pursuant to Rule 11(a)(2) of the Federal Rules of Criminal Procedure. An unconditional guilty plea generally waives all antecedent, nonjurisdictional errors. Tollett v. Henderson, 411 U.S. 258, 266-67 (1973); Fields v. Att'y Gen., 956 F.2d 1290, 1294-95 (4th Cir. 1992). The right to challenge on appeal a Fourth Amendment issue raised in a motion to suppress is a nonjurisdictional defense and hence is lost by an unconditional guilty plea. Haring v. Prosser, 462 U.S. 306, 320 (1983). Thus, as the Government asserts, Acosta-Corralco waived his right to challenge on appeal the denial of the motion to suppress.

Accordingly, we affirm Acosta-Corralco's convictions. 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