

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 14-4506

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

RASHARD CHAZELL CLEVELAND,

Defendant - Appellant.

Appeal from the United States District Court for the Middle District of North Carolina, at Greensboro. Catherine C. Eagles, District Judge. (1:12-cr-00068-CCE-1)

Submitted: March 12, 2015

Decided: March 16, 2015

Before GREGORY, DIAZ, and HARRIS, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Mark A. Yurachek, MARK ALLEN YURACHEK & ASSOCIATES, Falls Church, Virginia, for Appellant. Ripley Rand, United States Attorney, Angela H. Miller, Michael F. Joseph, Assistant United States Attorneys, Greensboro, North Carolina, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Rashard Chazell Cleveland appeals from his convictions for use of an unauthorized device and aggravated identity theft. He pleaded guilty, reserving the right to appeal the district court's order denying his motion to suppress evidence. Cleveland argues that, contrary to the district court's findings, his consent to the search was coerced by officers who detained him after completing the purpose of the original traffic stop for driving without a seatbelt. Finding no error, we affirm.

We review factual findings underlying a district court's denial of a motion to suppress for clear error and legal conclusions de novo. United States v. Foster, 634 F.3d 243, 246 (4th Cir. 2011). We may reverse for clear error only if "left with the definite and firm conviction that a mistake has been committed." United States v. Wooden, 693 F.3d 440, 451 (4th Cir. 2012) (internal quotation marks omitted). Because the district court denied the motion to suppress, we construe the evidence in the light most favorable to the Government, the party prevailing below. United States v. Black, 707 F.3d 531, 534 (4th Cir. 2013). We defer to the court's credibility findings. United States v. Griffin, 589 F.3d 148, 150 n.1 (4th Cir. 2009). With these standards in mind, after reviewing the record, the parties' briefs, and fully considering the

arguments, we conclude that the district court did not err in denying the motion to suppress.

We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before this court and argument would not aid the decisional process.

AFFIRMED