UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 00-4017

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

versus

RONALD LEWIS GAITHER, JR.,

Defendant - Appellant.

Appeal from the United States District Court for the District of Maryland, at Greenbelt. Peter J. Messitte, District Judge. (CR-98-466)

Submitted: June 27, 2000 Decided: July 11, 2000

Before MURNAGHAN, MOTZ, and TRAXLER, Circuit Judges.

Affirmed by unpublished per curiam opinion.

James Wyda, Federal Public Defender, Susan M. Bauer, Assistant Federal Public Defender, OFFICE OF THE FEDERAL PUBLIC DEFENDER, Greenbelt, Maryland, for Appellant. Lynne A. Battaglia, United States Attorney, Rod J. Rosenstein, Assistant United States Attorney, Greenbelt, Maryland, for Appellee.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Ronald Lewis Gaither, Jr., appeals from his conviction for being a felon in possession of a weapon, 18 U.S.C. § 922(g) (1994). Gaither entered a guilty plea conditioned upon his right to appeal the denial of his motion to suppress the pistol found in his waistband. We have reviewed the suppression hearing and do not find that the district court clearly erred in its determination of the facts surrounding Gaither's stop and search under Terry v. Ohio, 392 U.S. 1 (1968), nor do we find that the court erred by concluding that the officers had reasonable suspicion to effect the stop. See Ornelas v. United States, 517 U.S. 690, 699 (1996) (stating standard of review); United States v. Rusher, 966 F.2d 868, 873 (4th Cir. 1992) (same). Accordingly, we affirm Gaither's conviction. 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