

UNPUBLISHED

UNITED STATES COURT OF APPEALS

FOR THE FOURTH CIRCUIT

UNITED STATES OF AMERICA,

Plaintiff-Appellee.

v.

No. 99-4620

ADAM CLAYTON SIDER,

Defendant-Appellant.

Appeal from the United States District Court
for the District of Maryland, at Baltimore.
Benson E. Legg, District Judge.
(CR-98-494-L)

Submitted: June 30, 2000

Decided: August 1, 2000

Before MURNAGHAN, WILKINS, and LUTTIG, Circuit Judges.

Affirmed by unpublished per curiam opinion.

COUNSEL

Michael E. Kaminkow, Harry Levy, SCHULMAN, TREEM,
KAMINKOW, GILDEN & RAVENELL, L.L.C., Baltimore, Mary-
land, for Appellant. Lynne A. Battaglia, United States Attorney, Mar-
tin J. Clarke, Assistant United States Attorney, Baltimore, Maryland,
for Appellee.

Unpublished opinions are not binding precedent in this circuit.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

OPINION

PER CURIAM:

Adam Clayton Sider appeals his conviction for possession with intent to distribute heroin, 21 U.S.C. § 841(a)(1) (1994), for which he was sentenced to 135 months imprisonment. Sider pled guilty, reserving the right to appeal the district court's denial of his motion to suppress the evidence found in two suitcases.

This court reviews the district court's factual findings on a denial of a motion to suppress for clear error and its legal conclusions de novo. See United States v. Rusher, 966 F.2d 868, 873 (4th Cir. 1992). Further, this court construes the evidence in the light most favorable to the party who prevailed below. See United States v. Seidman, 156 F.3d 542, 547 (4th Cir. 1998). Upon our review of the record, we hold that the police had probable cause to arrest Sider. Therefore, the search of his suitcases was permissible as one incident to arrest. Accordingly, we affirm Sider'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 in the decisional process.

AFFIRMED