UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 25-4653

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

CECEIRO A. QUIAH,

Defendant - Appellant.

Appeal from the United States District Court for the District of Maryland, at Greenbelt. Lydia Kay Griggsby, District Judge. (8:25-cr-00074-LKG-1)

Submitted: August 27, 2026 Decided: August 31, 2026

Before KING, HEYTENS, and BENJAMIN, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Ceceiro A. Quiah, Appellant Pro Se. David Christian Bornstein, Assistant United States Attorney, OFFICE OF THE UNITED STATES ATTORNEY, Baltimore, Maryland, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Ceceiro A. Quiah was convicted by a magistrate judge of driving with a blood alcohol content of .08 or above, in violation of 36 C.F.R. § 4.23(a)(2), and unsafe operation of a motor vehicle, in violation of 36 C.F.R. § 4.22(b)(1). The magistrate judge sentenced Quiah to 12 months' probation. Quiah appealed to the district court, and the district court affirmed the criminal judgment.

Quiah now appeals the district court's order affirming the criminal judgment. In this court, Quiah asserts that the district court erroneously affirmed the magistrate judge's (1) denial of his motion to suppress; (2) admission of his breathalyzer results; and (3) grant of the Government's request for a continuance. Finding no error, we affirm.

A district court reviewing a bench trial conducted by a magistrate judge "utilizes the same standards of review applied by a court of appeals in assessing a district court conviction." *United States v. Bursey*, 416 F.3d 301, 305 (4th Cir. 2005) (citing Fed. R. Crim. P. 58(g)(2)(D)). In turn, "our review of a magistrate court's trial record is governed by the same standards as was the district court's appellate review." *Id.* at 305-06.

Turning first to the district's court's affirmance of the magistrate judge's order denying Quiah's motion to suppress, we review the district court's "legal conclusions de novo and factual findings for clear error, considering the evidence in the light most favorable to the government." *United States v. Henderson*, 136 F.4th 527, 531 (4th Cir. 2025) (internal quotation marks omitted). Importantly, clear error occurs only "when the reviewing court on the entire evidence is left with the definite and firm conviction that a mistake has been committed." *United States v. Cox*, 744 F.3d 305, 308 (4th Cir. 2014)

(citation modified). Thus, "[i]f the district court's account of the evidence is plausible in light of the record viewed in its entirety," *Anderson v. Bessemer City, N.C.*, 470 U.S. 564, 573-74 (1985), "we will not reverse the district court's finding simply because we have become convinced that we would have decided the fact differently," *United States v. Stevenson*, 396 F.3d 538, 542 (4th Cir. 2005).

In the district court, Quiah moved to suppress evidence law enforcement seized after they conducted an investigatory detention of Quiah on the day of his arrest. In this regard, it is well-established that a "[t]emporary detention of individuals during the stop of an automobile by the police, even if only for a brief period and for a limited purpose, constitutes a 'seizure'" under the Fourth Amendment. *Whren v. United States*, 517 U.S. 806, 809 (1996). Thus, "[w]hen an officer observes a traffic offense—however minor—he [must have] probable cause to stop the driver of the vehicle." *United States v. Williams*, 740 F.3d 308, 312 (4th Cir. 2014) (internal quotation marks omitted), *abrogated on other grounds*, *Hein v. North Carolina*, 574 U.S. 54 (2014).

Moreover, "[i]f a traffic stop is extended in time beyond the period that the officers are completing tasks related to the traffic infractions, the officers must either obtain consent from the individuals detained or identify reasonable suspicion of criminal activity to support the extension of the stop." *United States v. Hill*, 852 F.3d 377, 381 (4th Cir. 2017). The acceptable duration of a traffic stop "is determined by the seizure's mission—to address the traffic violation that warranted the stop and attend to related safety concerns." *Rodriguez v. United States*, 575 U.S. 348, 354 (2015) (internal quotation marks omitted). Ordinary tasks related to a traffic stop include "checking the driver's license, determining

whether there are outstanding warrants against the driver, and inspecting the automobile's registration and proof of insurance." *Id.* at 355. These types of "checks serve the same objective as enforcement of the traffic code: ensuring that vehicles on the road are operated safely and responsibly." *Id.* An officer may also permissibly ask questions of the vehicle's occupants that are unrelated to the violation, provided that doing so does not prolong the stop absent independent reasonable suspicion. *Id.*

The reasonable suspicion standard requires "considerably less than proof of wrongdoing by a preponderance of the evidence, and obviously less than is necessary for probable cause." *Kansas v. Glover*, 589 U.S. 376, 380 (2020) (internal quotation marks omitted). In order to meet this standard, however, "a police officer must offer specific and articulable facts that demonstrate at least a minimal level of objective justification for the belief that criminal activity is afoot." *United States v. Bowman*, 884 F.3d 200, 213 (4th Cir. 2018) (internal quotation marks omitted). We nonetheless "cannot reasonably demand scientific certainty where none exists," and "must permit officers to make commonsense judgments and inferences about human behavior." *Glover*, 589 U.S. at 380 (citation modified).

In this case, evidence presented during the hearing on the motion to suppress established that, on the evening on April 26, 2024, an officer observed Quiah swerving over the fog line on a ramp onto the Baltimore-Washington Parkway, nearly striking the concrete wall of the on-ramp, then swerving over the Parkway—crossing the center dotted line and fog line multiple times—while driving 76 m.p.h. in the 55 m.p.h. speed zone. After the officer stopped Quiah's vehicle, he observed Quiah's glassy eyes and the odor of

alcohol in the vehicle. The officer directed Quiah to exit the vehicle, at which time the officer smelled alcohol coming from Quiah and again observed Quiah's glassy eyes. The officer also explained that Quiah was somewhat unsteady on his feet and required assistance to the front of his vehicle.

We conclude that these factors gave the officer sufficient, individualized suspicion that Quiah was driving under the influence of alcohol and, thus, that it was reasonable for the officer to extend the traffic stop to conduct a field sobriety test. *See, e.g.*, *United States v. Blakeney*, 949 F.3d 851, 860 (4th Cir. 2020) ("An officer who smells alcohol in the passenger compartment . . . in which two people have been driving reasonably may infer that either or both individuals were drinking."). We thus conclude that the district court did not err in affirming the magistrate judge's decision to deny Quiah's motion to suppress.

Regarding the results of Quiah's breathalyzer examination, we review the magistrate judge's admission of such evidence for abuse of discretion. *United States v. Hager*, 721 F.3d 167, 199 (4th Cir. 2013). Our review of the record confirms that the officer who administered the breathalyzer properly conducted the test and that the Intoximeter was certified and in proper working order. *See United States v. Washington*, 498 F.3d 225, 231 (4th Cir. 2007) (observing that test results are reliable if Government "show[s] that the machine and its functions are reliable, that it was correctly adjusted or calibrated, and that the data (in this case, the blood) put into the machine was . . . the defendant's"). We thus agree with the district court that the magistrate judge did not abuse his discretion in admitting the results of Quiah's breathalyzer examination.

We further find no error in the district court's decision to affirm the magistrate judge's order granting the Government a 62-day continuance, which we also review for abuse of discretion. *United States v. Clinger*, 681 F.2d 221, 224 (4th Cir. 1982) (stating standard of review). In conducting such a review, we must bear in mind that "broad discretion must be granted trial courts on matters of continuances." *Morris v. Slappy*, 461 U.S. 1, 11 (1983).

And to determine whether a Sixth Amendment speedy trial violation has occurred, the Supreme Court has established a balancing test, pursuant to which a court must weigh the following four factors: (1) the "length of delay"; (2) "the reason for the delay"; (3) "the defendant's assertion of his right"; and (4) "prejudice to the defendant." *Barker v. Wingo*, 407 U.S. 524, 530 (1972). Thus, to prevail on a constitutional speedy trial claim, a defendant must establish that "on balance," these four "factors weigh in his favor." *United States v. Thomas*, 55 F.3d 144, 148 (4th Cir. 1995).

However, the Supreme Court has held that a court need not conduct a speedy trial inquiry unless the defendant can show "that the interval between accusation and trial has crossed the threshold dividing ordinary from 'presumptively prejudicial delay.'" *Doggett v. United States*, 505 U.S. 647, 651-52 (1992) (quoting *Barker*, 407 U.S. at 530-31). Accordingly, "[i]f the delay is not uncommonly long, the inquiry ends there." *United States v. Grimmond*, 137 F.3d 823, 827 (4th Cir. 1998); *see also Barker*, 407 U.S. at 530 (noting that "[u]ntil there is some delay which is presumptively prejudicial, there is no necessity for inquiry into the other factors that go into the balance"). This court has held that a delay of more than "one year is presumptively prejudicial." *Grimmond*, 137 F.3d at 828.

In addition, a court must assess whether the defendant has actually suffered prejudice because of the delay. When considering the delay's adverse impact on the defense, a court must consider "(1) whether there was an oppressive pretrial incarceration; (2) the anxiety and concern suffered by the accused; and (3) the possibility that the defense was impaired." *United States v. Hall*, 551 F.3d 257, 272 (4th Cir. 2009). Importantly, a general allegation of prejudice based upon conjecture is insufficient to establish actual prejudice, and the defendant must point to specific evidence that affirmatively supports the contention that his defense was impaired. *See id.* at 273.

Here, Quiah's trial occurred less than a year after his arrest. Moreover, the district court correctly observed that Quiah failed to establish that he was prejudiced by the mere 62-day continuance. We thus conclude that the magistrate judge did not abuse its discretion in granting the Government's request for a continuance, and that granting the continuance did not violate Quiah's right to a speedy trial.

Based on the foregoing, we affirm the criminal judgment. 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