

FEB 26 2009

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

<p>UNITED STATES OF AMERICA,</p> <p>Plaintiff - Appellee,</p> <p>v.</p> <p>SHANE TRAVIS WARRANT,</p> <p>Defendant - Appellant.</p>
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No. 08-30192

D.C. No. 9:07-cr-00040-DWM-1

MEMORANDUM *

Appeal from the United States District Court
for the District of Montana
Donald W. Molloy, Chief District Judge, Presiding

Submitted February 18, 2009**

Before: BEEZER, FERNANDEZ, and W. FLETCHER, Circuit Judges.

Shane Travis Warrant appeals from the district court's denial of his motion to suppress evidence. We have jurisdiction pursuant to 28 U.S.C. § 1291, and we affirm.

* This disposition is not appropriate for publication and is not precedent except as provided by 9th Cir. R. 36-3.

** The panel unanimously finds this case suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

Warrant contends that the district court erred when it denied his motion to suppress because evidence obtained during a traffic stop was seized in violation of the Fourth Amendment. Warrant waived the right to appeal this issue when he entered an unconditional guilty plea. *See United States v. Lopez-Armenta*, 400 F.3d 1173, 1175 (9th Cir. 2005).

AFFIRMED.