

United States Court of Appeals
FOR THE EIGHTH CIRCUIT

No. 00-1076

United States of America,

Appellee,

v.

Allen J. Vopalka,

Appellant.

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Appeal from the United States
District Court for the District
of Nebraska.

[UNPUBLISHED]

Submitted: May 12, 2000

Filed: May 18, 2000

Before WOLLMAN, Chief Judge, FAGG, Circuit Judge, and HENDREN,* District
Judge.

PER CURIAM.

Following his conditional guilty plea to a drug charge, Allen J. Vopalka appeals the district court's refusal to grant Vopalka's motion to suppress the search warrant. Vopalka also contends the district court improperly calculated the drug quantity attributable to him. Discussion of the issues presented by this appeal will serve no useful purpose. We have carefully considered Vopalka's contentions and find them to

*The Honorable Jimm Larry Hendren, Chief Judge, United States District Court for the Western District of Arkansas, sitting by designation.

be without merit. First, the affidavit and application for the search warrant establish probable cause for issuance of the warrant. Second, the district court's drug quantity findings are not clearly erroneous. We thus affirm Vopalka's conviction and sentence. See 8th Cir. R. 47B.

A true copy.

Attest:

CLERK, U.S. COURT OF APPEALS, EIGHTH CIRCUIT.