

United States Court of Appeals
FOR THE EIGHTH CIRCUIT

No. 00-1091

United States of America,

Appellee,

v.

James L. Flippen,

Appellant.

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* Appeal from the United States
* District Court for the
* Western District of Missouri.
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* [UNPUBLISHED]
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Submitted: February 13, 2001
Filed: February 16, 2001

Before WOLLMAN, Chief Judge, BOWMAN and MORRIS SHEPPARD ARNOLD,
Circuit Judges.

PER CURIAM.

James L. Flippen pled guilty to being a felon in possession of a firearm, an offense established by 18 U.S.C. § 922(g)(1) (1994). As provided for in his plea agreement, he appeals the denial of his motion to suppress evidence. For reversal, he argues that the District Court¹ erred in finding that the officer who detained him and

¹The Honorable Nanette K. Laughrey, United States District Judge for the Western District of Missouri, adopting the report and recommendation of the Honorable Sarah W. Hays, United States Magistrate Judge for the Western District of Missouri.

discovered the firearm (a loaded .45 caliber Ruger) on his person had a reasonable, articulable suspicion that criminal activity was afoot. Instead, Flippen contends, he was simply a victim of racial profiling.

Having reviewed the case, we are satisfied that Flippen's claims lack substance and that his motion to suppress was properly denied. We agree with the District Court, for the reasons stated in that court's thorough and well-reasoned opinion, that the investigative stop leading to discovery of the firearm was proper under Terry v. Ohio, 392 U.S. 1 (1968). No error of fact or law appears, and an opinion by this Court in this well-traveled area of the law would add nothing of value to what the District Court has written. Accordingly, without further discussion the order of the District Court is AFFIRMED. See 8th Cir. R. 47B.

A true copy.

Attest:

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