

United States Court of Appeals
FOR THE EIGHTH CIRCUIT

No. 01-2756

United States of America,

Appellee,

v.

Anthony D. Rose,

Appellant.

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Appeal from the United States
District Court for the
Western District of Missouri.

[UNPUBLISHED]

Submitted: October 3, 2001

Filed: October 5, 2001

Before WOLLMAN, Chief Judge, BOWMAN, and LOKEN, Circuit Judges.

PER CURIAM.

Anthony Rose pleaded guilty to a charge of being a felon in possession of a firearm, after officers responding to a report of a disturbance found a handgun on his person. The district court¹ denied Rose's motion to suppress the handgun underlying the charge, and he appeals. Having reviewed the district court's legal conclusions de

¹The HONORABLE ORTRIE D. SMITH, United States District Judge for the Western District of Missouri, adopting the report and recommendation of the HONORABLE ROBERT E. LARSEN, United States Magistrate Judge for the Western District of Missouri.

novo, and its findings of historical fact for clear error, see United States v. Davis, 202 F.3d 1060, 1061 (8th Cir.), cert. denied, 531 U.S. 883 (2000), we affirm.

Police officers stopped and frisked Rose while responding to a report of a disturbance involving an individual who they believed was armed--based on information they had received from the complainant and the police dispatcher--and who matched Rose's description. The stop occurred in an area known for drug activity and previous calls involving armed individuals. Under the totality of these circumstances, the officers had reasonable suspicion for the initial stop and reasonable cause to believe Rose was armed and could pose a danger to them. See United States v. Johnson, 64 F.3d 1120, 1124 (8th Cir. 1995) (reasonable suspicion for stop where defendants matched anonymous caller's description and behaved suspiciously), cert. denied, 516 U.S. 1139 (1996); Davis, 202 F.3d at 1063 (pat-down search upheld where officer reasonably believed suspect might be armed).

Accordingly, we affirm.

A true copy.

Attest:

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