

United States Court of Appeals  
For the Eighth Circuit

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No. 22-1189

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United States of America

*Plaintiff - Appellee*

v.

Cole A. Ussery

*Defendant - Appellant*

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Appeal from United States District Court  
for the Eastern District of Missouri - Cape Girardeau

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Submitted: July 8, 2022

Filed: July 13, 2022

[Unpublished]

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Before BENTON, SHEPHERD, and GRASZ, Circuit Judges.

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PER CURIAM.

Following his guilty plea to a firearm offense, Cole Ussery appeals the district court's<sup>1</sup> denial of his motion to suppress evidence recovered from a search of his backpack.

Upon careful review, we conclude that the district court did not err in denying Ussery's motion to suppress, as the factual finding that Ussery abandoned his backpack was not clearly erroneous, and the search of the backpack was a valid inventory search. See United States v. Holly, 983 F.3d 361, 363 (8th Cir. 2020) (in reviewing denial of a motion to suppress, district court's findings of fact are reviewed for clear error and its legal conclusions are reviewed de novo); United States v. Crumble, 878 F.3d 656, 659 (8th Cir. 2018) (defendant does not have a reasonable expectation of privacy in abandoned property); United States v. Allen, 713 F.3d 382, 387-88 (8th Cir. 2013) (officers have broad authority to conduct inventory searches of items found in the possession of an arrested person who is to be jailed).

Accordingly, we affirm.

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<sup>1</sup>The Honorable Rodney W. Sippel, Chief Judge, United States District Court for the Eastern District of Missouri, adopting the report and recommendations of the Honorable Abbie Crites-Leoni, United States Magistrate Judge for the Eastern District of Missouri.