

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 00-10131
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

MISTY D. BURGAN,

Defendant-Appellant.

Appeal from the United States District Court
for the Northern District of Texas
USDC No. 2:99-CR-41-2

August 22, 2000

Before SMITH, BENAVIDES, and DENNIS, Circuit Judges.

PER CURIAM:*

Misty D. Burgan entered a conditional guilty plea to possession of stolen mail and aiding and abetting in violation of 18 U.S.C. §§ 2, 1708. She now appeals the district court's denial of her motion to suppress evidence gathered at a search as well as statements made by her as a consequence of the search.

Having reviewed the record, we reject Burgan's argument that the district court clearly erred in finding that she gave her consent to the search. See United States v. Tellez, 11 F.3d 530, 532 (5th Cir. 1993). We also reject her argument that she lacked

* Pursuant to 5TH CIR. R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR. R. 47.5.4.

the authority to consent to the search. See United States v. Matlock, 415 U.S. 164, 171 (1974). Because Burgan has shown no error by the district court, there is no basis for suppressing her incriminating statements as fruit of an illegal search. Finally, we deem abandoned, for lack of adequate briefing, any argument that her statements should have been suppressed pursuant to Miranda v. Arizona, 384 U.S. 436 (1966). See American States Ins. Co. v. Bailey, 133 F.3d 363, 372 (5th Cir. 1998); Fed. R. App. P. 28(a)(9).

AFFIRMED.