

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 99-50593  
Summary Calendar

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UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

DUDLEY EDWARD VANDERGRIFF,

Defendant-Appellant.

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Appeal from the United States District Court for the  
Western District of Texas  
USDC No. P-97-CR-66-ALL

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June 7, 2000

Before JOLLY, JONES, and BENAVIDES, Circuit Judges.

PER CURIAM:\*

Dudley Edward Vandergriff appeals from his conditional nolo contendere plea conviction and resultant sentence for possession of a firearm by a felon in violation of 18 U.S.C. § 922(g). He argues that the district court erred by denying his motion to suppress and by refusing to grant him a three-level reduction in his offense level pursuant to U.S.S.G. § 3E1.1 for his acceptance of responsibility. We have reviewed the record and find no reversible

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

error. Based upon the facts known to authorities, probable cause existed for the arrest of the occupants of the Oldsmobile that was traveling with the Suburban. Thus, the district court did not err by denying Vandergriff's motion to suppress. See United States v. Tellez, 11 F.3d 530, 532 (5th Cir. 1993). Further, based upon Vandergriff's continued denial of certain facts and elements of the offense, the district court did not clearly err by denying his request for a reduction in his offense level for acceptance of responsibility. See United States v. Harlan, 35 F.3d 176, 181 (5th Cir. 1994). Accordingly, the judgment of the district court is

A F F I R M E D.