

JUL 14 2011

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

ELVERIA RODRIGUEZ-QUIROS,

Defendant - Appellant.

No. 09-10482

D.C. No. 2:08-cr-00256-RLH-
PAL-1

MEMORANDUM*

Appeal from the United States District Court
for the District of Nevada
Roger L. Hunt, District Judge, Presiding

Submitted July 12, 2011**
San Francisco, California

Before: SILVERMAN and GRABER, Circuit Judges, and WRIGHT, District
Judge.***

* This disposition is not appropriate for publication and is not precedent
except as provided by 9th Cir. R. 36-3.

** The panel unanimously concludes this case is suitable for decision
without oral argument. *See* Fed. R. App. P. 34(a)(2).

*** The Honorable Otis D. Wright, II, United States District Judge for the
Central District of California, sitting by designation.

Defendant Elveria Rodriguez-Quiros appeals the district court's denial of her motion to suppress the drugs found in her car's bumper. We have jurisdiction pursuant to 28 U.S.C. § 1291 and affirm.

The record does not support the defendant's claim that the district judge improperly rejected the magistrate judge's factual findings. The district judge adopted the magistrate judge's findings, but reached a different legal conclusion regarding probable cause.

Having obtained the defendant's lawful consent to search the vehicle, the troopers were within their rights to inspect and probe a pre-existing hole in the bumper. Upon discovering white powder and observing what looked like tape, the troopers had probable cause to believe that the normally empty bumper contained drugs. *See United States v. Ewing*, 638 F.3d 1226, 1231 (9th Cir. 2011).

AFFIRMED.