

United States Court of Appeals
FOR THE EIGHTH CIRCUIT

No. 03-2700

United States of America,

Appellee,

v.

Freddie Ross,

Appellant.

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* Appeal from the United States

* District Court for the

* District of Minnesota.

* [UNPUBLISHED]

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Submitted: April 26, 2004

Filed: May 3, 2004

Before WOLLMAN, FAGG, and MORRIS SHEPPARD ARNOLD, Circuit Judges.

PER CURIAM.

Federal inmate Freddie Ross appeals the district court's¹ partial denial of his Federal Rule of Criminal Procedure 41(e)² motion for return of seized property, which included \$8,400 in cash and several noncash items. We have carefully reviewed the

¹The Honorable David S. Doty, United States District Judge for the District of Minnesota.

²The substance of former subsection (e) is now found in subsection (g), with stylistic changes. See Fed. R. Crim. P. 41 advisory committee notes (2002 amend.).

record, and we find no clear error. See United States v. Felici, 208 F.3d 667, 669-70 (8th Cir. 2000) (standard of review), cert. denied, 531 U.S. 1201 (2001). Police found the \$8,400 inside Ross's girlfriend's bedroom closet, Ross initially denied any knowledge of the cash, and he later told police the cash belonged to a Vikings football player. In addition, Ross's attorney conceded during the Rule 41 hearing that the motion was moot with respect to the seized noncash items.

The judgment is affirmed. See 8th Cir. R. 47B.
