

United States Court of Appeals
FOR THE EIGHTH CIRCUIT

No. 03-3640

United States of America,	*
	*
Plaintiff - Appellee,	*
	*
v.	* Appeal from the United States
	* District Court for the
	* District of South Dakota.
Norman Eugene Van Zee,	*
	*
Defendant - Appellant.	*

Submitted: May 11, 2004
Filed: August 17, 2004 (corrected 8/18/04)

Before LOKEN, Chief Judge, BRIGHT and SMITH, Circuit Judges.

LOKEN, Chief Judge.

After the district court¹ denied his motion to suppress following an evidentiary hearing, Norman Eugene Van Zee entered a conditional plea of guilty to the charge of possession with intent to distribute a controlled substance in violation of 21 U.S.C. § 841(a)(1). Van Zee now appeals, arguing that the district court should have suppressed evidence seized during a warrantless search of his vehicle and additional

¹The HONORABLE LAWRENCE L. PIERSOL, Chief Judge of the United States District Court for the District of South Dakota, adopting the Report and Recommendation of the HONORABLE JOHN E. SIMKO, United States Magistrate Judge for the District of South Dakota.