

[DO NOT PUBLISH]

IN THE UNITED STATES COURT OF APPEALS

FOR THE ELEVENTH CIRCUIT

No. 05-13962

<p>FILED U.S. COURT OF APPEALS ELEVENTH CIRCUIT June 15, 2006 THOMAS K. KAHN CLERK</p>
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D. C. Docket No. 00-00014-CR-002-WLS-7

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

TREANDOS CARTE HEAD,

Defendant-Appellant.

Appeal from the United States District Court
for the Middle District of Georgia

(June 15, 2006)

Before ANDERSON, BARKETT and BOWMAN*, Circuit Judges.

PER CURIAM:

* Honorable Pasco M. Bowman, II, United States Circuit Judge for the Eighth Circuit,
sitting by designation.

Treandos Carlos Head appeals his conviction for possession with intent to distribute both cocaine and crack cocaine, in violation of 21 U.S.C. § 841(a), 841(b)(1)(C), 841(b)(1)(A)(iii) and 18 U.S.C. § 2. On appeal, Head argues that the district court erred by (1) denying his motion to suppress evidence, (2) denying his motion for judgment of acquittal, (3) “unintentionally commenting” to the jury about the grant of co-defendant Cokley’s motion for acquittal, thus depriving Head of a fair trial, and (4) allowing the introduction into evidence of exhibits that had not been timely provided to the defense.

Having reviewed this record and heard oral argument, we conclude that there was no unreasonable prolongation of the detention in this case beyond that warranted by the traffic stop, and thus there was no error in the district court’s conclusion that the consent to search the vehicle was valid; that the evidence was sufficient to allow the jury to infer that Head was guilty; that because there is no evidence that the court’s cautionary instruction regarding co-defendant Cokley’s absence from the case prejudiced the jury’s verdict, Head was not deprived of a fair trial; and that the record shows that Head was given an adequate opportunity to prepare a defense without prejudice to his substantial rights.

AFFIRMED.