

[DO NOT PUBLISH]

IN THE UNITED STATES COURT OF APPEALS
FOR THE ELEVENTH CIRCUIT

No. 14-12365

D.C. Docket No. 4:13-cr-00024-CDL-MSH-1

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

LORENZO HICKSON,

Defendant-Appellant.

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

(January 19, 2016)

Before HULL and JILL PRYOR, Circuit Judges, and CONWAY,* District Judge.

PER CURIAM:

* Honorable Anne C. Conway, United States District Judge for the Middle District of Florida, sitting by designation.

Lorenzo Hickson pled guilty to possession with intent to distribute over 280 grams of cocaine base and received a 295-month sentence. In his plea agreement, Hickson reserved the right to appeal the district court's order denying his motion to suppress the cocaine base, which law enforcement officers discovered during a traffic stop. The district court denied the motion after finding that Hickson's behavior, in fleeing from the traffic stop and throwing the cocaine base out of the window of his car, broke the causal connection between the prolonged traffic stop and the discovery of the drugs. Therefore, the district court concluded, the drugs could not be classified as "fruit of the poisonous tree" and were abandoned.

After a thorough review of the briefs and the benefit of oral argument, we discern no reversible error in the district court's findings that Hickson discarded the cocaine base while attempting to flee from the scene, and that, under the particular circumstances of this case, his flight and abandonment of the drugs "purge[d] the primary taint of the unlawful invasion." Wong Sun v. United States, 371 U.S. 471, 486, 83 S. Ct. 407, 417 (1963). Accordingly, we affirm the district court's order denying Hickson's motion to suppress.

AFFIRMED.