

**Filed 12/7/00 by Clerk of Supreme Court
IN THE SUPREME COURT
STATE OF NORTH DAKOTA**

2000 ND 199

State of North Dakota,

Plaintiff and Appellee

v.

Brian K. Gehring,

Defendant and Appellant

No. 20000114

Appeal from the District Court of Ward County, Northwest Judicial District,
the Honorable William W. McLees, Judge.

AFFIRMED.

Per Curiam.

Faron E. Terry, P.O. Box 717, Minot, N.D. 58702-0717, for defendant and
appellant.

Rozanna C. Larson, Assistant State's Attorney, P.O. Box 5005, Minot, N.D.
58702-5005, for plaintiff and appellee.

State v. Gehring
No. 20000114

Per Curiam.

[¶1] Brian Gehring appeals from the trial court's order denying suppression of evidence and its criminal judgment of conviction entered on a Rule 11(a)(2), N.D.R.Crim.P., conditional guilty plea to possession of a controlled substance with intent to deliver. We will not reverse a trial court's decision to deny a suppression motion if sufficient competent evidence supports the court's findings, and the decision is not contrary to the manifest weight of the evidence. State v. Schmidt, 1998 ND 22, 576 N.W.2d 524 (N.D. 1998). We hold the trial court's findings of fact and decision are supported by the evidence.

[¶2] We affirm the trial court's order and judgment under Rule 35.1(a)(2), N.D.R.App.P.

[¶3] Gerald W. VandeWalle, C.J.
William A. Neumann
Mary Muehlen Maring
Carol Ronning Kapsner
Dale V. Sandstrom