

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

United States of America,

Plaintiff,

Cr. No. 07-125 (RHK/SRN)
ORDER

v.

Javarlo Lasha Perry,

Defendant.

This matter is before the Court on Defendant Javarlo Lasha Perry's Objections (Doc. No. 30) to Magistrate Judge Susan Richard Nelson's July 24, 2007 Report and Recommendation (Doc. No. 29). Perry argues that the Court should suppress the gun and cocaine seized by the police because his arrest was unconstitutional. Perry asserts that the police officers were not lawfully inside the VFW club prior to his arrest and that Magistrate Judge Nelson incorrectly found that he did not have a reasonable expectation of privacy.

The Court has conducted a *de novo* review of Perry's objections to the Report and Recommendation and has reviewed the transcript of the hearing that was held before Magistrate Judge Nelson on July 6, 2007. The Court concludes that Magistrate Judge Nelson's recommended disposition is fully supported by the factual record and controlling legal principles.

Based on the foregoing, and all the files, records, and proceedings herein, **IT IS**

ORDERED that:

1. Defendant Perry's Objections to the Report and Recommendation (Doc. No. 30) are **OVERRULED**.
2. The Report and Recommendation (Doc. No. 29) is **ADOPTED** in its entirety.

Date: August 9, 2007

s/Richard H. Kyle
RICHARD H. KYLE
United States District Judge