

cell and that, because Bell had no reasonable expectation of privacy in his cell, no constitutional rights were violated by the search of his urine and feces. We note that by Bell's own concession, the constitutionality of placing inmates in dry cells has been repeatedly upheld. See, e.g., *United States v. Holloway*, 128 F.3d 1254, 1256 (8th Cir. 1997). Moreover, we find that under the circumstances leading up to and surrounding Bell's detention, there existed a reasonable suspicion on the part of prison officials, that both warranted and justified the use of the dry cell facility.

We further agree with the District Court's conclusion that "the search of urine and feces removed from Inmate Bell's dry cell did not violate his rights under the Fourth Amendment because he possessed no legitimate expectation of privacy therein". As noted by the District Court:

Here, the search at issue concerned items removed from Bell's cell. No efforts were taken by prison officials to physically extract from ...Bell's person urine, feces, tissue or any other bodily fluid. Instead prison officials if I may be forgiven this lapse into cliché simply waited for nature to take its course. Accordingly, under *Hudson v. Palmer*, 468 U.S. at 526, the search of the urine and feces removed from...Bell's dry cell did not violate his rights under the Fourth Amendment because he possessed no legitimate expectation of privacy therein.

In these circumstances, we discern no error on the part of the District Court. Accordingly, we will affirm Bell's judgment of conviction and the sentence imposed.

TO THE CLERK OF THE COURT:

Kindly file the foregoing Opinion.

/s/Julio M. Fuentes
Circuit Judge