

UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT

No. 26-1081

UNITED STATES OF AMERICA

v.

EUDDY IZQUIERDO,
Appellant

On Appeal from the U.S. District Court, E.D. Pa.
Judge Juan R. Sánchez, No. 2:22-cr-00221-001

Before: BIBAS, MATEY, and BOVE, *Circuit Judges*
Submitted: Oct. 19, 2026; Filed: Oct. 21, 2026

NONPRECEDENTIAL OPINION*

BIBAS, *Circuit Judge*. Euddy Izquierdo has had multiple run-ins with the law. In 2014, he pleaded guilty to conspiring to distribute and possessing with intent to distribute at least a kilo of heroin. In late 2021, while he was still on supervised release from that crime, DEA agents conducting surveillance saw him frequenting a known drug-trafficking street corner in Philadelphia’s Kensington neighborhood and making hand-to-hand exchanges with drug dealers. One day, agents watched him leave a suspected drug-stash house with a large black trash bag. Then, he put it in the back seat of his BMW and drove toward that corner.

At the agents’ request, Philadelphia police stopped Izquierdo’s BMW. He was nervous. After police took Izquierdo’s ID, agents approached and asked him to get out of the car and consent to a car search. He obliged and signed a consent form. He was not handcuffed or

*This is not an opinion of the full Court and, under 3d Cir. IOP 5.7, is not binding precedent.

arrested. Agents then opened the black trash bag. They found three cell phones as well as a box for an electric coffee grinder, which is often used to process powdered drugs.

Izquierdo then struck up a conversation. He got “very, very comfortable speaking.” JA 55. In response, an agent asked where he was coming from; Izquierdo gave a false address, not the stash house where the agent had followed him from. When the agent gave Izquierdo a look, he changed his story and gave another false address. The agent then called his bluff: They told him about the ongoing surveillance and that they knew he had come from the stash house. Izquierdo promptly folded and started cooperating. The agent asked Izquierdo if they could search the stash house and he said yes, admitting that there was cocaine, heroin, fentanyl, and a gun inside. Agents then handcuffed him and drove him there. He signed another consent-to-search form and handed over his keys to the house. Officers then went into the stash house and found the items that he had described, including a loaded gun on a table with drugs.

Agents brought Izquierdo back to the DEA field office, where he signed a form waiving his *Miranda* rights and spoke for two hours or so. His demeanor was “very casual and very cooperative.” JA 100. He admitted selling drugs in Kensington, storing drugs at the stash house, and getting the gun as a gift. After that, Izquierdo fled to the Dominican Republic but was arrested and brought back by U.S. Marshals. He was indicted for possessing with intent to distribute heroin, cocaine, crack, and fentanyl; maintaining drug premises; possessing a gun in relation to drug trafficking; and possessing a gun as a felon.

The District Court denied Izquierdo's motion to dismiss the felon-in-possession charge based on the Second Amendment as well as his motions to suppress his statements to officers and the evidence found in the stash house. It denied the government's 404(b) motion in limine to introduce evidence of Izquierdo's money-laundering activities but granted its motion to introduce evidence of his flight to the Dominican Republic. A jury convicted him on all charges, and the court denied his motion for acquittal or a new trial.

On appeal, Izquierdo raises four challenges. But all fail.

First, the court properly denied the motions to suppress his roadside statements and the items found in his BMW and stash house. We review its factual findings (including those about credibility and voluntariness) for clear error and its legal rulings (including those about being in custody) de novo. *United States v. Amos*, 88 F.4th 446, 451 (3d Cir. 2023) (seizure); *United States v. Ludwikowski*, 944 F.3d 123, 130 (3d Cir. 2019) (custody); *United States v. Murray*, 821 F.3d 386, 390–391 (3d Cir. 2016) (voluntariness).

The court reasonably believed the officers' testimony that they had reasonable suspicion based on surveillance to stop Izquierdo's BMW, that they did nothing to put him under arrest until after he admitted to the contraband in the stash house, and that his roadside statements were voluntary and not made in custody. It also properly found that his oral and written consents to search his BMW and stash house were voluntary. And it properly discounted his own testimony as not credible.

Second, the court properly denied Izquierdo's motion to dismiss the felon-in-possession count. At the time of these crimes, he was still on supervised release. And our case law

categorically allows disarming convicted felons while they are still on supervised release. *United States v. Moore*, 111 F.4th 266, 273 (3d Cir. 2024).

Third, the evidence was sufficient to support the two gun charges. We must defer greatly to the jury's verdict, reversing it only if no rational trier of fact could have found the elements of the crime beyond a reasonable doubt. *United States v. Caraballo-Rodriguez*, 726 F.3d 418, 430 (3d Cir. 2013) (en banc). Izquierdo told officers that the gun was inside the stash house, that he was the only person with access to the stash house, and that he had gotten the gun as a gift. When officers went inside to search, they saw the loaded gun in plain view, right next to the drugs on the living-room table, and the jury saw photographs showing the gun and drugs. That was more than enough. There was no reason to grant an acquittal or new trial.

Finally, Izquierdo says the court improperly admitted the government's 404(b) evidence of his money laundering. But the District Court denied the government's motion in limine, so the government never put on the money-laundering evidence at trial. It did put on evidence of his flight to the Dominican Republic, but Izquierdo never argues that was inadmissible. We will thus AFFIRM.