

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

United States Court of Appeals  
Fifth Circuit

**FILED**

August 20, 2008

Charles R. Fulbruge III  
Clerk

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No. 07-20591  
Summary Calendar

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UNITED STATES OF AMERICA

Plaintiff-Appellee

v.

LUIS RODOLFO RODRIGUEZ-CEPEDA

Defendant-Appellant

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Appeal from the United States District Court  
for the Southern District of Texas  
USDC No. 4:06-CR-170-ALL

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Before JOLLY, CLEMENT and HAYNES, Circuit Judges.

PER CURIAM:\*

Luis Rodolfo Rodriguez-Cepeda appeals from his bench trial conviction for illegal reentry into the United States after deportation for an aggravated felony. Rodriguez-Cepeda's sole argument on appeal is that the record is insufficient to establish his guilt beyond a reasonable doubt because the record does not contain the stipulated facts introduced at his bench trial. This court reviews the entire record to determine whether the district court's finding of guilt is supported by

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\* Pursuant to 5TH CIR. R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR. R. 47.5.4.

“any substantial evidence.” *United States v. Serna-Villarreal*, 352 F.3d 225, 234 (5th Cir. 2003).

After Rodriguez-Cepeda filed his appellate brief, this court granted the Government’s motion to supplement the record with a copy of the stipulated facts, as well as an affidavit from the prosecutor attesting that the submitted copy is identical to the written stipulation introduced at Rodriguez-Cepeda’s bench trial. Rodriguez-Cepeda has not responded to the Government’s motion. Based on the record as supplemented, the evidence was sufficient to support the district court’s finding of guilt.

The district court’s judgment of conviction is **AFFIRMED**.