

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

United States Court of Appeals  
Fifth Circuit

**FILED**

December 5, 2007

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No. 07-10237  
Conference Calendar

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Charles R. Fulbruge III  
Clerk

UNITED STATES OF AMERICA

Plaintiff-Appellee

v.

DAMACIO ANDRADE-CASTANEDA

Defendant-Appellant

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Appeal from the United States District Court  
for the Northern District of Texas  
USDC No. 3:03-CR-295-1

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Before JOLLY, HIGGINBOTHAM, and PRADO, Circuit Judges.

PER CURIAM:\*

Appealing the Judgment in a Criminal Case following remands for resentencing, Damacio Andrade-Castaneda raises arguments that are foreclosed by the law of the case doctrine. See *United States v. Matthews*, 312 F.3d 652, 657 (5th Cir. 2002) (holding that under the law of the case doctrine, an issue of fact or law decided on appeal may not be reexamined by the appellate court on a

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

subsequent appeal). The Government's motion for summary affirmance is GRANTED, and the judgment of the district court is AFFIRMED.