

June 20, 2006

Charles R. Fulbruge III
Clerk

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 05-40159
Conference Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

PEDRO ARMENTA-VALENTIN,

Defendant-Appellant.

Appeal from the United States District Court
for the Southern District of Texas
USDC No. 1:04-CR-771-ALL

Before STEWART, DENNIS, and OWEN, Circuit Judges.

PER CURIAM:*

Pedro Armenta-Valentin (Armenta) pleaded guilty to illegal reentry following deportation, pursuant to a plea agreement that contained a waiver-of-appeal provision. We need not decide the applicability of the waiver provision in this case because the issue that Armenta raises is foreclosed.

Armenta argues that the district court erred by ordering him to cooperate in the collection of a DNA sample as a condition of supervised release. This claim is not ripe for review on direct

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

appeal. See United States v. Riascos-Cuenu, 428 F.3d 1100,
1101-02 (5th Cir. 2005), petition for cert. filed (Jan. 9, 2006)
(No. 05-8662). The appeal is DISMISSED.