

**IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT**

United States Court of Appeals  
Fifth Circuit

**FILED**

October 14, 2009

Charles R. Fulbruge III  
Clerk

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No. 09-10226  
Summary Calendar

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UNITED STATES OF AMERICA,

Plaintiff-Appellee

v.

OSCAR ALVAREZ PUENTE,

Defendant-Appellant

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Appeal from the United States District Court  
for the Northern District of Texas  
USDC No. 6:08-CR-32-1

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Before KING, BARKSDALE, and GARZA, Circuit Judges.

PER CURIAM:\*

Oscar Alvarez Puente appeals his guilty-plea conviction for failing to comply with the Sex Offender Registration and Notification Act (SORNA), 42 U.S.C. § 16913, a violation of 18 U.S.C. § 2250(a). As he did in district court in moving to dismiss the indictment, Puente contends: his conviction violates his

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

due process rights because he did not have notice of SORNA's requirements; and, his lack of notice shows he could not have knowingly violated SORNA.

In *United States v. Whaley*, 577 F.3d 254, 261-62 (5th Cir. 2009), our court rejected a similar challenge to lack of notice; we joined several other circuits in holding: "notice of a duty to register under state law is sufficient to satisfy the Due Process Clause". We discern no reason to reach a different result in this case.

AFFIRMED.