

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 00-40804  
Conference Calendar

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UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

MARIA LUISA TORRES-MEZA,

Defendant-Appellant.

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Appeal from the United States District Court  
for the Southern District of Texas  
USDC No. B-00-CR-94-1  
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April 12, 2001

Before JOLLY, HIGGINBOTHAM, and JONES, Circuit Judges.

PER CURIAM:\*

Maria Luisa Torres-Meza appeals the sentence imposed following her guilty-plea conviction for re-entering the United States illegally after deportation in violation of 8 U.S.C. § 1326. Torres argues that in view of the Supreme Court's recent decision in Apprendi v. New Jersey, 120 S. Ct. 2348, 2362-63 (2000), her sentence should be vacated because it exceeds the two-year statutory maximum sentence for a violation of 8 U.S.C. § 1326(a). Torres acknowledges that her argument is foreclosed by Almendarez-Torres v. United States, 523 U.S. 224, 235 (1998),

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

and states that she is raising the issue to preserve it for possible Supreme Court review. Torres' argument is foreclosed by Almendarez-Torres, 523 U.S. at 235.

AFFIRMED.