

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 01-20356
Conference Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

JOSE MANUEL ALVARADO-DERAS,

Defendant-Appellant.

Appeal from the United States District Court
for the Southern District of Texas
USDC No. H-00-CR-801-1

April 11, 2002

Before SMITH, DeMOSS, and PARKER, Circuit Judges.

PER CURIAM:*

Jose Manuel Alvarado-Deras appeals his conviction for illegal reentry after deportation. 8 U.S.C. § 1326. Alvarado-Deras contends that the district court erred in not suppressing evidence of his deportation because the deportation proceedings violated his right to due process. He concedes that this issue is foreclosed by United States v. Benitez-Villafuerte, 186 F.3d 651, 659-60 (5th Cir. 1999). He raises the issue to preserve it

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

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for Supreme Court review. The district court's judgment is
AFFIRMED.