

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 01-20583
Conference Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

CARLOS ALCIDES TORRES-ALFARO,

Defendant-Appellant.

Appeal from the United States District Court
for the Southern District of Texas
USDC No. H-00-CR-884-1

August 20, 2002

Before HIGGINBOTHAM, DAVIS, and PARKER, Circuit Judges.

PER CURIAM:*

Carlos Alcides Torres-Alfaro appeals from his guilty-plea conviction for illegally reentering the United States after having been deported subsequent to an aggravated felony conviction, in violation of 8 U.S.C. § 1326. He argues that he should not have received a 16-level increase under U.S.S.G. § 2L1.2(b)(1)(A) because his Texas conviction for burglary of a

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

vehicle is not an "aggravated felony" for purposes of that guideline.

Torres-Alfaro's argument is foreclosed by this court's holding in United States v. Rodriguez-Guzman, 56 F.3d 18, 20-21 (5th Cir. 1995). Accordingly, the district court's judgment is AFFIRMED.