

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 01-40097
Conference Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

JUAN MIGUEL ESTRADA-OLIVARES,

Defendant-Appellant.

Appeal from the United States District Court
for the Southern District of Texas
USDC No. B-00-CR-361-1

October 29, 2001

Before WIENER, BENAVIDES, and DENNIS, Circuit Judges.

PER CURIAM:*

Juan Miguel Estrada-Olivares (Estrada) appeals his guilty-plea conviction for illegal reentry into the United States, in violation of 8 U.S.C. § 1326. Estrada contends that the district court erred in ordering his federal sentence to run consecutively, rather than concurrently, to his undischarged state sentence. Estrada's argument is foreclosed by our decision in United States v. Reyes-Lugo, 238 F.3d 305, 308-09 (5th Cir.), cert denied, 121 S. Ct. 2232 (2001). Estrada, nevertheless, seeks to preserve the issue for review by the Supreme Court.

AFFIRMED.

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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