

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 01-40563
Conference Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

RUBEN CADENA-SANTOS,

Defendant-Appellant.

Appeal from the United States District Court
for the Southern District of Texas
USDC No. L-01-CR-8-1

April 11, 2002

Before SMITH, DeMOSS, and PARKER, Circuit Judges.

PER CURIAM:*

Ruben Cadena-Santos appeals his guilty-plea conviction of being found in the United States after deportation, a violation of 8 U.S.C. § 1326. He argues that his indictment is deficient because it does not allege general intent. Cadena acknowledges that his argument is foreclosed by United States v. Guzman-Ocampo, 236 F.3d 233 (5th Cir. 2000), cert. denied, 121 S. Ct. 2600 (2001). See also United States v. Berrios-Centeno, 250 F.3d 294, 297 (5th Cir.), cert. denied, 122 S. Ct. 288 (2001). He

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

raises the issue only to preserve it for review by the Supreme Court.

The judgment of the district court is AFFIRMED.