

April 21, 2004

Charles R. Fulbruge III  
Clerk

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 03-41392  
Conference Calendar

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UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

ROBERTO SOLIS MANRIQUEZ,

Defendant-Appellant.

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Appeal from the United States District Court  
for the Southern District of Texas  
USDC No. M-03-CR-539-1  
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Before JOLLY, JONES, and SMITH, Circuit Judges.

PER CURIAM:\*

Roberto Solis Manriquez pleaded guilty to one charge of importing 5,147 grams of cocaine, and the district court sentenced him to 46 months in prison and a three-year term of supervised release. Manriquez now appeals his conviction and sentence. He argues that the statutes of conviction, 21 U.S.C. §§ 952 and 960, are facially unconstitutional in light of Apprendi v. New Jersey, 530 U.S. 466 (2000). Manriquez acknowledges that his argument is foreclosed by United States v.

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

Slaughter, 238 F.3d 580, 582 (5th Cir. 2002), and he raises the issue only to preserve it for review in the Supreme Court.

Slaughter applies by analogy to the instant case because the statutes at issue are similar in structure and content. One panel of this court may not overrule another. United States v. Fowler, 216 F.3d 459, 460 (5th Cir. 2000). Consequently, Manriquez's arguments are, as he concedes, foreclosed by Slaughter. The judgment of the district court is AFFIRMED.