

May 27, 2005

Charles R. Fulbruge III
Clerk

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 03-41665
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

LEONARDO GOMEZ-MORALES,

Defendant-Appellant.

Appeal from the United States District Court
for the Southern District of Texas
(03-CR-484)

ON REMAND FROM THE SUPREME COURT OF THE UNITED STATES

Before REAVLEY, BARKSDALE and GARZA, Circuit Judges.

PER CURIAM:*

The Supreme Court has vacated the former judgment and remanded for further consideration in light of United States v. Booker, 125 S.Ct. 738 (2005). Because the sentence was correctly imposed under the opinions of the Supreme Court cited in our opinion, and because we find no Booker error, the judgment of the district court is again

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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