

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 98-41281
Conference Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

ANCELMO CORONADO-MARTINEZ,

Defendant-Appellant.

- - - - -
Appeal from the United States District Court
for the Southern District of Texas
USDC No. M-98-CR-201-1
- - - - -

June 17, 1999

Before EMILIO M. GARZA, BENAVIDES, and PARKER, Circuit Judges.

PER CURIAM:*

Ancelmo Coronado-Martinez (Coronado), appeals his guilty-plea conviction for illegal reentry into the United States following deportation, in violation of 8 U.S.C. § 1326(a) and (b). Coronado argues that the district court erred by applying the 16-level increase pursuant to U.S.S.G. § 2L1.2(b) because he had been previously deported subsequent to an aggravated-felony

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

conviction for possession of marijuana. Coronado failed to raise an objection at sentencing on this issue; therefore, this issue is reviewed solely for plain error. Fed. R. Crim. P. 52(b); United States v. Rodriguez, 15 F.3d 408, 414-15 (5th Cir. 1994); United States v. Olano, 507 U.S. 725, 731-37 (1993). His arguments regarding this issue are precluded by our decision in United States v. Hinojosa-Lopez, 130 F.3d 691 (5th Cir. 1997). This issue is without arguable merit and frivolous. The appeal is DISMISSED. See 5TH CIR. R. 42.2.