

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 99-40337
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

LORENZO PEREZ-DE ANGEL,

Defendant-Appellant.

Appeal from the United States District Court
for the Southern District of Texas
USDC No. L-98-CR-788-1

January 4, 2000

Before DAVIS, DUHÉ and DeMOSS, Circuit Judges.

PER CURIAM:¹

Defendant-Appellant Lorenzo Perez-De Angel (Perez) appeals his guilty-plea conviction for illegal reentry after deportation pursuant to 8 U.S.C. § 1326(a) and (b)(2). Perez alleges his underlying deportation proceeding violated his Fifth Amendment right to due process.

We have reviewed the record and the briefs of the parties. Based upon United States v. Benitez-Villafuerte, 186 F.3d 651 (5th Cir. 1999), a decision which stands on all fours with this case, we conclude that Perez's original deportation proceeding did not violate due process. Further, Perez has failed to show that he was prejudiced by any of the alleged deficiencies in the § 1228 proceeding. Id. at 658-59.

AFFIRMED.

¹ 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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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.