

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 99-40651
Conference Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

JUAN MANUEL ARELLANO-BERUMAN,

Defendant-Appellant.

Appeal from the United States District Court
for the Southern District of Texas
USDC No. B-98-CR-648

February 17, 2000

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

PER CURIAM:*

Defendant-Appellant Juan Manuel Arellano-Beruman appeals his conviction for illegal reentry after deportation. 8 U.S.C. § 1326(a) and (b). Arellano contends that the district court erred in denying his motion to dismiss the indictment because his underlying deportation proceedings violated his right to due process.

Arellano concedes that the only issue raised in this appeal is foreclosed by our decision in United States v. Benitez-Villafuerte, 186 F.3d 651, 659-60 (5th Cir.), cert. denied, 120

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

S. Ct. 838 (2000). The decision of the district court therefore is AFFIRMED.