

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 99-50881
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellant,

versus

ENRIQUE GOMEZ-SALAZAR, also
known as Jessie Jesus Bonilla,

Defendant-Appellee.

Appeal from the United States District Court
for the Western District of Texas
USDC No. DR-99-CR-227-1

January 12, 2000

Before KING, Chief Judge, and HIGGINBOTHAM, and STEWART,
Circuit Judges.

PER CURIAM:*

The Government challenges the sentence imposed by the district court, arguing that the district court erred in failing to assess a 16-level sentencing enhancement, pursuant to U.S.S.G. § 2L1.2(b)(1)(A), based on its finding that Enrique Gomez-Salazar's ("Gomez") prior convictions for illegally transporting aliens were not aggravated-felony convictions for purposes of the

enhancement. In United States v. Monjaras-Castaneda, 190 F.3d

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

326, 330-31 (5th Cir. 1999), decided after the district court entered its judgment in the instant case, this court held that prior convictions for illegally transporting aliens within the United States constitute aggravated-felony convictions for purposes of the 16-level sentencing enhancement. Accordingly, the district court's judgment is VACATED, and the case is REMANDED for resentencing.

VACATED AND REMANDED.