

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 99-51135  
Conference Calendar

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UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

LUIS DANIEL CEBREROS-VALLES,

Defendant-Appellant.

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Appeal from the United States District Court  
for the Western District of Texas  
USDC No. EP-99-CR-225-ALL-DB  
- - - - -

June 15, 2000

Before JOLLY, DAVIS, and DUHÉ, Circuit Judges.

PER CURIAM:\*

Luis Daniel Cebreros-Valles appeals from his conviction for illegal reentry following removal in violation of 8 U.S.C. § 1326. Cebreros argues that his prior removal proceedings violated his right to due process, thus a showing of prejudice should not be required to invalidate a subsequent prosecution under § 1326. He concedes that the issues raised in this appeal are foreclosed by our decision in United States v. Benitez-Villafuerte, 186 F.3d 651, 656-60 (5th Cir. 1999), cert. denied, 120 S. Ct. 838 (2000). The decision of the district court is

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\* Pursuant to 5<sup>TH</sup> 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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5<sup>TH</sup> CIR. R. 47.5.4.

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AFFIRMED.