United States Court of Appeals Fifth Circuit

August 18, 2004

IN THE UNITED STATES COURT OF APPEALS FOR THE FIFTH CIRCUIT

> Charles R. Fulbruge III Clerk

No. 04-50223 Conference Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

NORMA ALICIA ARVIZO-ENRIQUEZ,

Defendant-Appellant.

Appeal from the United States District Court for the Western District of Texas USDC No. EP-03-CR-1247-ALL

Before HIGGINBOTHAM, DAVIS, and PICKERING, Circuit Judges. PER CURIAM:*

Appealing the Judgment in a Criminal Case, Norma Alicia Arvizo-Enriquez concedes that the arguments raised are foreclosed by circuit precedent but seeks to preserve them for further review. The Government has moved for summary affirmance in lieu of filing an appellee's brief. The motion is GRANTED, and the judgment of the district court is AFFIRMED.

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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