

**IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT**

\_\_\_\_\_  
No. 15-40041  
\_\_\_\_\_

United States Court of Appeals  
Fifth Circuit

**FILED**

July 13, 2018

Lyle W. Cayce  
Clerk

UNITED STATES OF AMERICA,

Plaintiff - Appellee

v.

GREGORIO GONZALEZ-LONGORIA,

Defendant - Appellant

\_\_\_\_\_  
Appeal from the United States District Court  
for the Southern District of Texas  
\_\_\_\_\_

ON REMAND FROM THE SUPREME COURT OF THE UNITED STATES

Before STEWART, Chief Judge, and JOLLY, DAVIS, JONES, SMITH, DENNIS, CLEMENT, OWEN, ELROD, SOUTHWICK, HAYNES, GRAVES, HIGGINSON, COSTA, WILLETT, HO, DUNCAN, and ENGELHARDT Circuit Judges.

CARL E. STEWART, Chief Judge:

Mr. Gonzalez-Longoria raised in this appeal a challenge to the assessment of a Sentencing Guideline enhancement based on the classification of his prior Texas conviction as an aggravated felony. Mr. Gonzalez-Longoria has been released from imprisonment and no longer wishes to pursue any

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challenge to his term of imprisonment or Sentencing Guideline calculation. Accordingly, we DISMISS his appeal as to these issues.

Mr. Gonzalez-Longoria also challenged the description in the judgment of his offense as being an illegal reentry after “having previously been convicted of an aggravated felony.” We REMAND to the district court for the limited purpose of correcting the judgment to reflect the correct offense of conviction by elimination of the clause “having previously been convicted of an aggravated felony.” *United States v. Ovalle-Garcia*, 868 F.3d 313, 314 (5th Cir. 2017). There being no further issues pending before the court, we do not retain jurisdiction. Mandate to issue forthwith.