

February 18, 2004

Charles R. Fulbruge III  
Clerk

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 03-41080  
Conference Calendar

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UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

SANDRO MEDINA-TENIENTE,

Defendant-Appellant.

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Appeal from the United States District Court  
for the Southern District of Texas  
USDC No. B-03-CR-357-ALL  
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Before HIGGINBOTHAM, EMILIO M. GARZA, and PRADO, Circuit Judges.

PER CURIAM:\*

Sandro Medina-Teniente pleaded guilty to being found unlawfully present in the United States after deportation, in violation of 8 U.S.C. § 1326(a). He argues that the special condition of supervised release that prohibits him from possessing a "dangerous weapon," which is contained in the written judgment, conflicts with the district court's oral pronouncement of sentence and must be deleted. His argument is foreclosed by this court's opinion in United States v.

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

Torres-Aguilar, 352 F.3d 394, 937-38 (5th Cir. 2003). The judgment of the district court is AFFIRMED.

The Government has moved for a summary affirmance in lieu of filing an appellee's brief. In its motion, the Government asks that an appellee's brief not be required. The motion is GRANTED.

AFFIRMED; MOTION GRANTED.