

**FILED**

August 18, 2004

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

Charles R. Fulbruge III  
Clerk

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No. 04-50262  
Conference Calendar

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UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

NEMESIO PEREZ-MONDRAGON, also known as Nemisio  
Peres-Mondragon, also known as Nemisio Peres Mondregon,  
also known as Nemisio Perez Mondragon, also known as  
Miguel Perez, also known as Miguel Mondregon, also  
known as Nemisio Perez-Mondragon,

Defendant-Appellant.

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Appeal from the United States District Court  
for the Western District of Texas  
USDC No. A-03-CR-279-ALL-SS  
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Before HIGGINBOTHAM, DAVIS, and PICKERING, Circuit Judges.

PER CURIAM:\*

Appealing the Judgment in a Criminal Case, Nemesio Perez-Mondragon 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.

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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