

February 24, 2006

Charles R. Fulbruge III
Clerk

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 05-50724
Conference Calendar

UNITED STATES OF AMERICA,
Plaintiff-Appellee,

versus

CARLOS RAUL GARCIA-SOLIS,
Defendant-Appellant,

Consolidated With
No. 05-50750

UNITED STATES OF AMERICA,
Plaintiff-Appellee,

versus

RAUL CARLOS GARCIA-SOLIS, also known as Raul Carlos
Villasi, also known as Carlos Rual Solis-Garcia, also
known as Candelario Trujeque-Novelo, also known as
Carlos Raul Garcia-Solis,

Defendant-Appellant.

Appeal from the United States District Court
for the Western District of Texas
USDC No. 2:04-CR-752-ALL

Before GARZA, DENNIS, and PRADO, Circuit Judges.

PER CURIAM:*

Appealing the Judgment in a Criminal Case, Carlos Raul
Garcia-Solis raises arguments that are foreclosed by Almendarez-

* 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that this opinion should not be published and is not precedent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 v. United States, 523 U.S. 224, 235 (1998), which held that a prior conviction is a sentencing factor under 8 U.S.C. § 1326(b)(2) and not a separate criminal offense. The Government's motion for summary affirmance is GRANTED, and the judgment of the district court is AFFIRMED.