

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

United States Court of Appeals
Fifth Circuit

FILED

December 12, 2007

No. 06-30317
Conference Calendar

Charles R. Fulbruge III
Clerk

UNITED STATES OF AMERICA

Plaintiff-Appellee

v.

BLAKE KEITH LEWIS

Defendant-Appellant

Appeal from the United States District Court
for the Western District of Louisiana
USDC No. 2:04-CR-20115-4

Before REAVLEY, BARKSDALE, and GARZA, Circuit Judges.

PER CURIAM:*

Blake Keith Lewis pleaded guilty to conspiracy to interfere with commerce by robbery, interference with commerce by robbery, and two counts of use of a firearm during a crime of violence. The district court sentenced Lewis to 60 months of imprisonment on the conspiracy to interfere with commerce charge and 120 months of imprisonment on the interference with commerce charge, to run concurrently, and 10 years on the first firearm charge and 30 years on the

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

second firearm charge, to run consecutively to each other and to Lewis's other sentences.

Lewis argues that the district court erred in imposing a consecutive sentence of 30 years of imprisonment on the second firearm charge pursuant to 18 U.S.C. § 924(c)(1)(C)(i) because that provision requires an intervening conviction between the commission of the prior and subsequent firearm-related offenses and thus should not be applied to multiple § 924(c) convictions obtained in the same proceeding. Lewis concedes that this issue is foreclosed by the Supreme Court's decision in *Deal v. United States*, 508 U.S. 129 (1993), but he contends that he is raising the issue to preserve it for further Supreme Court review.

As Lewis concedes, this issue is foreclosed. See *Deal*, 508 U.S. at 132; *United States v. Hebert*, 131 F.3d 514, 525 (5th Cir. 1997).

AFFIRMED.