

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

United States Court of Appeals  
Fifth Circuit

**FILED**

May 1, 2009

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No. 08-50729  
Summary Calendar

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Charles R. Fulbruge III  
Clerk

UNITED STATES OF AMERICA

Plaintiff-Appellee

v.

JAIME CAMPOS-PEREZ

Defendant-Appellant

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Appeal from the United States District Court  
for the Western District of Texas  
USDC No. 3:08-CR-222-ALL

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Before WIENER, STEWART, and CLEMENT, Circuit Judges.

PER CURIAM:\*

Jaime Campos-Perez (Campos) pleaded guilty to one count of illegal reentry and was sentenced to 40 months of imprisonment. *See* 8 U.S.C. § 1326. He appeals his sentence on the basis that the district court incorrectly assessed two criminal history points for the sentence of “time served” imposed upon his prior conviction for violating a no contact order. Campos has failed to make a showing of clear error in the district court’s factual finding that his time served

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

sentence was 61 days. *See United States v. Caldwell*, 448 F.3d 287, 290 (5th Cir. 2006). His sentence is therefore AFFIRMED.