

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

United States Court of Appeals  
Fifth Circuit

**FILED**

April 2, 2012

Lyle W. Cayce  
Clerk

---

No. 11-40530  
Summary Calendar

---

UNITED STATES OF AMERICA,

Plaintiff-Appellee

v.

RAUL ARAGUZ-RAMIREZ,

Defendant-Appellant

---

Appeal from the United States District Court  
for the Southern District of Texas  
USDC No. 1:04-CR-48-1

---

Before JONES, Chief Judge, and PRADO and ELROD, Circuit Judges.

PER CURIAM:\*

Raul Araguz-Ramirez (Araguz) appeals from the judgment imposed after the district court revoked the term of supervised release that he was serving in connection with his 2004 illegal-reentry conviction. He concedes that he violated the conditions of his supervised release that prohibited him from committing another crime and from illegally reentering the United States. He argues, however, that the written judgment includes a clerical error insofar as it indicates that he additionally violated the conditions of his supervised release

---

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

No. 11-40530

by committing the offense of public intoxication. The Government concedes the error.

Our review of the record confirms that whether Araguz had violated his supervised release conditions by committing the offense of public intoxication was not at issue during the revocation hearing. Because the district court made no mention a such a violation at any point in the revocation hearing, including during its oral pronouncement of sentence, the oral pronouncement of sentence conflicts with the written judgment, and the case is REMANDED FOR THE LIMITED PURPOSE of allowing the district court to conform its written judgment to its oral pronouncement of sentence. *See United States v. Martinez*, 250 F.3d 941, 942 (5th Cir. 2001).