

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

United States Court of Appeals  
Fifth Circuit

**FILED**

December 17, 2013

\_\_\_\_\_  
No. 12-51156  
Conference Calendar  
\_\_\_\_\_

Lyle W. Cayce  
Clerk

UNITED STATES OF AMERICA,

Plaintiff-Appellee

v.

ROBERT MARCHELL LEWIS,

Defendant-Appellant

\_\_\_\_\_  
Appeal from the United States District Court  
for the Western District of Texas  
USDC No. 5:12-CR-416-1  
\_\_\_\_\_

Before DAVIS, DENNIS, and CLEMENT, Circuit Judges.

PER CURIAM:\*

Appealing the judgment in a criminal case, Robert Marchell Lewis raises an argument that he concedes is foreclosed by *United States v. Whaley*, 577 F.3d 254, 261-62 & n.2 (5th Cir. 2009), which held that proof of knowledge of the registration requirements of the Sex Offender Registration and Notification Act is not required for a conviction under 18 U.S.C. § 2250(a). *See also United States v. Heth*, 596 F.3d 255, 258-60 & n.3 (5th Cir. 2010). Accordingly, 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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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.

No. 12-51156

Government's motion for summary affirmance is GRANTED, and the judgment of the district court is AFFIRMED.