

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

No. 13-40864
Conference Calendar

United States Court of Appeals
Fifth Circuit

FILED

April 16, 2014

Lyle W. Cayce
Clerk

UNITED STATES OF AMERICA,

Plaintiff-Appellee

v.

SEIDER ISMAEL HERNANDEZ-FLORES,

Defendant-Appellant

Appeal from the United States District Court
for the Southern District of Texas
USDC No. 7:13-CR-439-1

Before PRADO, ELROD, and HAYNES, Circuit Judges.

PER CURIAM:*

Appealing the judgment in a criminal case, Seider Ismael Hernandez-Flores raises an argument that he concedes is foreclosed by *United States v. Izaguirre-Flores*, 405 F.3d 270, 277 (5th Cir. 2005), which held that the North Carolina offense of taking indecent liberties with a child constituted “sexual abuse of a minor” and thus is a crime of violence for purposes of the 16-level enhancement under U.S.S.G. § 2L1.2(b)(1)(A)(ii). Accordingly, Hernandez-

* 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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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. 13-40864

Flores's unopposed motion for summary disposition is GRANTED, and the judgment of the district court is AFFIRMED.