

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

---

No. 13-41352  
Conference Calendar

---

United States Court of Appeals  
Fifth Circuit

**FILED**

August 29, 2014

Lyle W. Cayce  
Clerk

UNITED STATES OF AMERICA,

Plaintiff-Appellee

v.

OSCAR MAURICIO GUERRERO,

Defendant-Appellant

---

Appeal from the United States District Court  
for the Southern District of Texas  
USDC No. 7:13-CR-1271-1

---

Before CLEMENT, PRADO, and ELROD, Circuit Judges.

PER CURIAM:\*

Appealing the judgment in a criminal case, Oscar Mauricio Guerrero raises an argument that he concedes is foreclosed by *United States v. Rodriguez*, 711 F.3d 541, 562 n.28 (5th Cir.) (en banc), *cert. denied*, 134 S. Ct. 512 (2013), which held that the generic, contemporary definition of “sexual abuse of a minor” does not require that the age of consent be lower than seventeen years old and does not include the age differential requirement

---

\* 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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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. 13-41352

asserted. Accordingly, the unopposed motion for summary disposition is GRANTED, and the judgment of the district court is AFFIRMED.