

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

United States Court of Appeals
Fifth Circuit

FILED

October 25, 2013

Lyle W. Cayce
Clerk

No. 13-50160
Conference Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee

v.

JAIME RODRIGUEZ-MORENO,

Defendant-Appellant

Appeal from the United States District Court
for the Western District of Texas
USDC No. 1:12-CR-431-1

Before JOLLY, JONES, and HIGGINSON, Circuit Judges.

PER CURIAM:*

Appealing the judgment in a criminal case, Jaime Rodriguez-Moreno raises an argument that he concedes is foreclosed by *United States v. Rodriguez-Escareno*, 700 F.3d 751, 753-54 (5th Cir. 2012), *cert. denied*, 133 S. Ct. 2044 (2013), which held that the sentence enhancement provided for in U.S.S.G. § 2L1.2(b)(1)(A)(i) applies to a conviction for the federal crime of conspiracy to commit a federal drug-trafficking offense. Accordingly, the Government's motion for summary affirmance is GRANTED, its alternative motion for an extension

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

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of time to file a brief is DENIED, and the judgment of the district court is AFFIRMED.