

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

United States Court of Appeals
Fifth Circuit

FILED

August 18, 2015

Lyle W. Cayce
Clerk

No. 14-20767
Conference Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee

v.

HELIODORO VELA-CAVAZOS, also known as Heliodoro Vela, also known as Eliodoro Vela, also known as Eliodoro Cavazos Vela, also known as Eliodoro Vela-Cavazos, also known as Helidoro Cavazos Vela, also known as Jose Vela,

Defendant-Appellant

Appeal from the United States District Court
for the Southern District of Texas
USDC No. 4:14-CR-285-1

Before JOLLY, GRAVES, and COSTA, Circuit Judges.

PER CURIAM:*

Appealing the judgment in a criminal case, Heliodoro Vela-Cavazos raises an argument that is foreclosed by *United States v. Morales-Mota*, 704 F.3d 410, 412 (5th Cir. 2013), which rejected the argument that the Texas offense of “burglary of a habitation” is broader than the generic, contemporary definition of “burglary of a dwelling” under U.S.S.G. § 2L1.2(b)(1)(A)(ii)

* 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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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. 14-20767

because it defines the “owner” of a habitation as a person with a “greater right to possession of the property than the actor.” The motion for summary disposition is GRANTED, and the judgment of the district court is AFFIRMED.