

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

No. 14-40311
Conference Calendar

United States Court of Appeals
Fifth Circuit

FILED

December 16, 2014

Lyle W. Cayce
Clerk

UNITED STATES OF AMERICA,

Plaintiff-Appellee

v.

MARIO GOMEZ-PEREZ,

Defendant-Appellant

Appeal from the United States District Court
for the Southern District of Texas
USDC No. 2:13-CR-1055-1

Before KING, DENNIS, and SOUTHWICK, Circuit Judges.

PER CURIAM:*

Appealing the judgment in a criminal case, Mario Gomez-Perez raises arguments that he concedes are foreclosed by *United States v. Rodriguez*, 711 F.3d 541, 562 (5th Cir.) (en banc), *cert. denied*, 134 S. Ct. 512 (2013), which held that “the ‘generic, contemporary meaning’ of ‘minor’ in the ‘sexual abuse of a minor’ category under [U.S.S.G.] § 2L1.2 is a person under the age of majority” and that the “age of consent for the purposes of ‘statutory rape’ in

* 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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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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§ 2L1.2 is the age of consent as defined by statute.” Accordingly, the unopposed motion for summary disposition is GRANTED, and the judgment of the district court is AFFIRMED.