

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

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No. 14-40421  
Summary Calendar

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United States Court of Appeals  
Fifth Circuit

**FILED**

August 3, 2015

Lyle W. Cayce  
Clerk

UNITED STATES OF AMERICA,

Plaintiff-Appellee

v.

YORLLI GONZALO FELIX-JAQUEZ,

Defendant-Appellant

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Appeal from the United States District Court  
for the Southern District of Texas  
USDC No. 5:13-CR-1265

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Before SMITH, BENAVIDES, and HAYNES, Circuit Judges.

PER CURIAM:\*

Yorlli Gonzalo Felix-Jaquez appeals the 46-month within-guidelines sentence imposed in connection with his conviction for illegal reentry after deportation. Felix-Jaquez argues that the district court plainly erred in imposing the 16-level enhancement under U.S.S.G. § 2L1.2(b)(1)(A)(i) based on his prior Delaware felony conviction for drug dealing. He contends that the statute criminalizing the offense does not require proof of remuneration and

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\* 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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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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that, therefore, the conviction does not constitute a drug trafficking offense within the meaning of § 2L1.2.

Felix-Jaquez's argument is foreclosed by *United States v. Martinez-Lugo*, 782 F.3d 198, 204-05 (5th Cir. 2015) *petition for cert. filed* (June 19, 2015) (No. 14-10355). In *Martinez-Lugo*, 782 F.3d at 204-05, we held that an enhancement under § 2L1.2(b)(1)(A)(i) for a prior conviction of a drug trafficking offense is warranted regardless of whether the conviction for the prior offense required proof of remuneration.

The judgment of the district court is AFFIRMED.