

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

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No. 14-50380  
Summary Calendar

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United States Court of Appeals  
Fifth Circuit

**FILED**

March 13, 2015

Lyle W. Cayce  
Clerk

UNITED STATES OF AMERICA,

Plaintiff-Appellee

v.

JUAN GABRIEL PEREZ-PADRON,

Defendant-Appellant

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Appeal from the United States District Court  
for the Western District of Texas  
USDC No. 2:13-CR-1282-1

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Before PRADO, OWEN, and GRAVES, Circuit Judges.

PER CURIAM:\*

Juan Gabriel Perez-Padron (Perez) appeals his conviction and sentence for being unlawfully present in the United States following removal. His sole argument on appeal is that the district court's written judgment erroneously provided that he was convicted under 8 U.S.C. § 1326(a), (b)(1), and (b)(2) when he was convicted only under § 1326(a) and (b)(1). The Government agreed with Perez, and this court granted the Government's unopposed motion to modify

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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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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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the judgment and for a limited remand for entry of a corrected judgment. The district court subsequently entered a corrected judgment providing that Perez was convicted under § 1326(a) and (b)(1). The Government now moves for summary affirmance.

Perez has received all of the relief that he seeks in the present appeal. Thus, the basis for the present appeal no longer exists, and summary affirmance is appropriate. *See United States v. Holy Land Found. for Relief & Dev.*, 445 F.3d 771, 781 & n.5 (5th Cir. 2006). Accordingly, the unopposed motion for summary affirmance is GRANTED, and the judgment of the district court is AFFIRMED.