

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

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No. 15-10205  
Conference Calendar

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United States Court of Appeals  
Fifth Circuit

**FILED**

December 15, 2015

Lyle W. Cayce  
Clerk

UNITED STATES OF AMERICA,

Plaintiff-Appellee

v.

ONEIDA DENISE SAYLOR,

Defendant-Appellant

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Appeal from the United States District Court  
for the Northern District of Texas  
USDC No. 4:14-CR-219-1

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Before JONES, SOUTHWICK, and COSTA, Circuit Judges.

PER CURIAM:\*

Appealing the judgment in a criminal case, Oneida Denise Saylor raises an argument that is foreclosed by *United States v. Tuma*, 738 F.3d 681, 693 (5th Cir. 2013), *cert. denied*, 134 S. Ct. 2875 (2014). In *Tuma*, we held that *Alleyne v. United States*, 133 S. Ct. 2151 (2013) applies “only to facts that increase a statutory mandatory minimum sentence” and rejected the argument that *Alleyne* requires that any fact that increases a defendant’s minimum

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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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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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sentence, including facts that raise the guidelines range, be found by a jury beyond a reasonable doubt. *Tuma*, 738 F.3d at 693. The motion for summary affirmance is GRANTED, the alternative request for an extension of time to file a brief is DENIED, and the judgment of the district court is AFFIRMED.