

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

No. 15-11225
Summary Calendar

United States Court of Appeals
Fifth Circuit

FILED

January 16, 2018

Lyle W. Cayce
Clerk

UNITED STATES OF AMERICA,

Plaintiff-Appellee

v.

MELISSA SLADE,

Defendant-Appellant

Appeal from the United States District Court
for the Northern District of Texas
USDC No. 4:15-CR-153-14

Before DAVIS, CLEMENT, and COSTA, Circuit Judges.

PER CURIAM:*

Melissa Slade pleaded guilty to conspiracy to possess with intent to distribute a controlled substance. Included in the calculation of her total offense level was a two-level enhancement pursuant to U.S.S.G. § 2D1.1(b)(5) for importation of methamphetamine. The district court applied the enhancement based on evidence that the methamphetamine Slade received from others had been imported from Mexico. The district court overruled

* 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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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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Slade's objections to the enhancement and sentenced her to 240 months of imprisonment and four years of supervised release.

On appeal, Slade contends that the district court erred in imposing the enhancement because there was no evidence that she knew the methamphetamine was imported or that the importation was part of her relevant conduct. She concedes that her arguments are foreclosed but respectfully argues that this court's precedent was wrongly decided.

Slade's arguments are foreclosed by *United States v. Foulks*, 747 F.3d 914, 915 (5th Cir. 2014), and *United States v. Serfass*, 684 F.3d 548, 552 (5th Cir. 2012), in which this court held that the enhancement is properly applied if the methamphetamine was imported. Accordingly, the Government's motion for summary affirmance is GRANTED, the Government's alternative motion for an extension of time to file a brief is DENIED, and the judgment of the district court is AFFIRMED.