

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

No. 15-40068
Summary Calendar

United States Court of Appeals
Fifth Circuit

FILED

August 7, 2015

Lyle W. Cayce
Clerk

UNITED STATES OF AMERICA,

Plaintiff-Appellee

v.

LUIS ALDOLFO MAZAREGO-SALAZAR, also known as David L. Nazarego,
also known as Luis Diaz,

Defendant-Appellant

Appeal from the United States District Court
for the Southern District of Texas
USDC No. 7:13-CR-1190-1

Before ELROD, SOUTHWICK, and GRAVES, Circuit Judges.

PER CURIAM:*

Luis Aldolfo Mazarego-Salazar was convicted of one count of being found in the United States after deportation and was sentenced, on remand, to serve 65 months in prison. Now, he reurges the claim we rejected in his first appeal concerning the propriety of the district court's assessment of a 16-level adjustment to his base offense level in accordance with U.S.S.G.

* 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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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(b)(1)(A)(ii). *See United States v. Mazarego-Salazar*, 590 F. App'x 345, 347 (5th Cir. 2014). He argues now, as he did then, that imposition of the disputed adjustment was improper because the documents offered in support of it were insufficient to establish the statutory subsection governing his conviction. *See id.* He concedes that this argument is barred by the law of the case doctrine and raises it only to preserve it for possible further review.

“Generally, the law of the case doctrine precludes reexamination by the appellate court on a subsequent appeal of an issue of law or fact decided on a previous appeal.” *United States v. Agofsky*, 516 F.3d 280, 283 (5th Cir. 2008). Mazarego-Salazar’s challenge to his sentence is barred by this doctrine. *See id.*

Accordingly, the Government’s motion for summary affirmance is GRANTED; its alternative motion for an extension of time to file a brief is DENIED, and the district court’s judgment is AFFIRMED.