

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

No. 16-11508
Summary Calendar

United States Court of Appeals
Fifth Circuit

FILED

July 20, 2017

Lyle W. Cayce
Clerk

UNITED STATES OF AMERICA,

Plaintiff-Appellee

v.

DETRICK IVRE DOTSON,

Defendant-Appellant

Appeal from the United States District Court
for the Northern District of Texas
USDC No. 3:16-CR-23-1

Before KING, DENNIS, and COSTA, Circuit Judges.

PER CURIAM:*

Detrick Ivre Dotson pleaded guilty to being a felon in possession of a firearm in violation of 18 U.S.C. § 922(g) and was sentenced to forty-two months of imprisonment. He appeals his sentence, arguing that, in light of *Johnson v. United States*, 135 S. Ct. 2551 (2015), the district court erred in determining that his prior Texas conviction for aggravated robbery was a crime of violence for purposes of the sentencing guidelines. After Dotson filed his

* 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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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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opening brief, the Supreme Court issued its opinion in *Beckles v. United States*, 137 S. Ct. 886 (2017), in which the Court held that *Johnson* does not apply to the sentencing guidelines. *See Beckles*, 137 S. Ct. at 890. The Government has filed an unopposed motion for summary affirmance in light of *Beckles*. Summary affirmance is proper where, among other things, “the position of one of the parties is clearly right as a matter of law so that there can be no substantial question as to the outcome of the case.” *Groendyke Transp., Inc. v. Davis*, 406 F.2d 1158, 1162 (5th Cir. 1969).

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