

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

No. 17-40018
Summary Calendar

United States Court of Appeals
Fif h Circuit

FILED
August 17, 2017

Lyle W. Cayce
Clerk

UNITED STATES OF AMERICA,

Plaintiff–Appellee,

versus

CAMILLE DIANE ARMSTRONG,

Defendant–Appellant.

Appeal from the United States District Court
for the Southern District of Texas
USDC No. 2:16-CR-657-1

Before HIGGINBOTHAM, JONES, and SMITH, Circuit Judges.

PER CURIAM:*

Camille Armstrong appeals her conviction of conspiring to possess with

* 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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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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intent to distribute more than 50 grams of methamphetamine, in violation of 21 U.S.C. § 841(a)(1) and (b)(1)(A) and 21 U.S.C. § 846. She asserts that the factual basis for her guilty plea was inadequate because the government failed to meet its obligation to prove that she had knowledge of the quantity of actual methamphetamine involved in her offense.

As Armstrong concedes, her argument is foreclosed by *United States v. Betancourt*, 586 F.3d 303, 308–09 (5th Cir. 2009), which held that *Flores-Figueroa v. United States*, 556 U.S. 646 (2009), did not overturn *United States v. Gamez-Gonzalez*, 319 F.3d 695 (5th Cir. 2003), and that the government is not required to prove knowledge of drug type and quantity as an element of a § 841 drug offense. Accordingly, the motion for summary disposition is GRANTED, and the judgment is AFFIRMED.