

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

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No. 18-40918  
Summary Calendar

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United States Court of Appeals  
Fifth Circuit

**FILED**

April 4, 2019

Lyle W. Cayce  
Clerk

UNITED STATES OF AMERICA,

Plaintiff-Appellee

v.

JORGE ALBERTO TORRES-GOMEZ,

Defendant-Appellant

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Appeal from the United States District Court  
for the Southern District of Texas  
USDC No. 7:18-CR-145-1

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Before JOLLY, COSTA, and HO, Circuit Judges.

PER CURIAM:\*

Jorge Alberto Torres-Gomez pleaded guilty to one count of importing into the United States five kilograms or more of cocaine, in violation of 21 U.S.C. §§ 952 and 960. The district court imposed a within-guidelines sentence of 87 months in prison, with no term of supervised release. Represented by the Federal Public Defender, Torres-Gomez raises an argument, in order to

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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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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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preserve the issue for further review, that he correctly concedes is foreclosed by circuit precedent.

Before this court, Torres-Gomez argues that the factual basis for his guilty plea was inadequate because the Government did not prove that he knew the type and quantity of the drug involved in his offense. Knowledge of the drug type and quantity is not an element of a federal drug offense. *See United States v. Betancourt*, 586 F.3d 303, 308-09 (5th Cir. 2009). Accordingly, the Government was not required to prove that Torres-Gomez knew the type or quantity of drugs involved. Torres-Gomez's unopposed motion for summary disposition is GRANTED, and the judgment of the district court is AFFIRMED.