

United States Court of Appeals
for the Fifth Circuit

United States Court of Appeals
Fifth Circuit

FILED

January 27, 2021

Lyle W. Cayce
Clerk

No. 20-10638
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff—Appellee,

versus

NCHOLEION KASHANA HOLLIE,

Defendant—Appellant.

Appeal from the United States District Court
for the Northern District of Texas
USDC No. 4:19-CR-352-3

Before CLEMENT, HIGGINSON, and ENGELHARDT, *Circuit Judges.*

PER CURIAM:*

Ncholeion Kashana Hollie appeals the 108-month sentence imposed following her conviction for interference with commerce by robbery. She argues that the district court erred in applying the abduction enhancement under U.S.S.G. § 2B3.1(b)(4)(A) because the term “different location” does

* Pursuant to 5TH CIRCUIT RULE 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIRCUIT RULE 47.5.4.

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not include movement from one room to another in the same building. She recognizes that her argument is foreclosed by this court's precedent but raises the issue to preserve it for further review. The Government moves for summary affirmance, asserting that Hollie's argument is foreclosed.

The parties are correct that Hollie's argument is foreclosed as we have "repeatedly construed the 'abduction' enhancement as applicable when a victim is forced from one part of a building to another." *United States v. Buck*, 847 F.3d 267, 276-77 (5th Cir. 2017). Accordingly, the Government's motion for summary affirmance is GRANTED, *see Groendyke Transp., Inc. v. Davis*, 406 F.2d 1158, 1162 (5th Cir. 1969), the Government's alternative motion for an extension of time to file a brief is DENIED as unnecessary, and the judgment of the district court is AFFIRMED.