

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 99-40331  
Conference Calendar

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UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

JOSE SALAZAR-VELOZ,

Defendant-Appellant.

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Appeal from the United States District Court  
for the Southern District of Texas  
USDC No. B-98-CR-594-ALL  
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October 19, 1999

Before JONES, SMITH, and STEWART, Circuit Judges.

PER CURIAM:\*

Jose Salazar-Veloz ("Salazar") appeals his guilty-plea conviction for illegal reentry into the United States following deportation, in violation of 8 U.S.C. § 1326(a) and (b). He argues that the magistrate judge who performed his allocution failed to explain the nature of the charges against him and ensure that he understood them, as required by Fed. R. Crim. P. 11(c)(1) ("Rule 11(c)(1)"). Because there is no indication

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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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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.

that the alleged error would have affected Salazar's "substantial rights," it did not rise beyond the level of harmless error. See United States v. Johnson, 1 F.3d 296, 298, 302 (5th Cir. 1993) (en banc).

AFFIRMED.