United States Court of Appeals
for the Fifth Circuit

No. 20-10635
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff—Appellee,

versus

LESLIE MAYULY KINGRASAPHONE,

Defendant—Appellant.

Appeal from the United States District Court
for the Northern District of Texas
USDC No. 4:19-CR-364-4

Before WIENER, SOUTHWICK, and DUNCAN, *Circuit Judges*.

PER CURIAM:*

Leslie Mayuly Kingrasaphone appeals the 210-month sentence imposed following her guilty plea conviction for conspiracy to possess with intent to distribute methamphetamine in violation of 21 U.S.C. §§ 841(a)(1), (b)(1)(A), and 846. She contends the district court erred by applying the two-

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* Pursuant to 5TH CIRCUIT RULE 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIRCUIT RULE 47.5.4.

No. 20-10635

level enhancement under U.S.S.G. § 2D1.1(b)(5) based on its finding that the offense involved importation of methamphetamine. She concedes that the argument is foreclosed by this court's decision in *United States v. Foulks*, 747 F.3d 914, 915 (5th Cir. 2014), but she asserts that *Foulks* was wrongly decided.

As Kingrasaphone concedes, her sole argument on appeal is foreclosed by the decision in *Foulks*, in which this court upheld the application of the § 2D1.1(b)(5) enhancement even where the person from whom the defendant purchased the methamphetamine had not personally imported it. *Foulks*, 747 F.3d at 915; *see also United States v. Serfass*, 684 F.3d 548, 552 (5th Cir. 2012) (holding that the Section 2D1.1(b)(5) enhancement applies "regardless of whether the defendant had knowledge of [the drug] importation."). Accordingly, the Government's motion for summary affirmance is GRANTED, 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.