

# United States Court of Appeals for the Fifth Circuit

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No. 23-40644  
Summary Calendar

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United States Court of Appeals  
Fifth Circuit

**FILED**

July 3, 2024

Lyle W. Cayce  
Clerk

UNITED STATES OF AMERICA,

*Plaintiff—Appellee,*

*versus*

JOE DAVID MORENO,

*Defendant—Appellant.*

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Appeal from the United States District Court  
for the Southern District of Texas  
USDC No. 5:21-CR-1268-1

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Before ELROD, HAYNES, and DUNCAN, *Circuit Judges*.

PER CURIAM:\*

With the benefit of a plea agreement, Joe David Moreno pleaded guilty to conspiracy to possess with intent to distribute 1,000 kilograms or more of marijuana. He argues that the judgment reflects an incorrect end date for the offense. The Government agrees, and our independent review of the record confirms the clerical error.

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\* This opinion is not designated for publication. *See* 5TH CIR. R. 47.5.

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Federal Rule of Criminal Procedure 36 states: “After giving any notice it considers appropriate, the court may at any time correct a clerical error in a judgment, order, or other part of the record, or correct an error in the record arising from oversight or omission.” A limited remand is appropriate here and is GRANTED for the sole purpose of correcting the judgment to reflect the correct end date for the offense of conviction. The judgment is otherwise AFFIRMED.