

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

United States Court of Appeals  
Fifth Circuit

**FILED**

April 19, 2011

Lyle W. Cayce  
Clerk

\_\_\_\_\_  
No. 09-20531

Conference Calendar  
\_\_\_\_\_

UNITED STATES OF AMERICA,

Plaintiff-Appellee

v.

ISMAEL GASPARI-CORONA, also known as Ismael Gaspari Corona, also known as Ismael Gaspar-Corona, also known as Ismael Gasperi-Corona,

Defendant-Appellant

\_\_\_\_\_  
Appeal from the United States District Court  
for the Southern District of Texas  
USDC No. 4:08-CR-509-1  
\_\_\_\_\_

Before JOLLY, OWEN, and HAYNES, Circuit Judges.

PER CURIAM:\*

Appealing the judgment in a criminal case, Ismael Gaspari-Corona presents arguments that he concedes are foreclosed by *United States v. London*, 568 F.3d 553, 564 (5th Cir. 2009), *cert. denied*, 131 S. Ct. 631 (2010). The Supreme Court adopted the position advanced in *London*. See *Abbott v. United States*, 131 S. Ct. 18, 23 (2010) (holding that a defendant is subject to a mandatory, consecutive sentence for a conviction pursuant to 18 U.S.C. § 924(c)

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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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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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even if the defendant received a higher mandatory minimum on a different count of conviction). The appellant's unopposed motion for summary disposition is GRANTED, and the judgment of the district court is AFFIRMED.