

United States Court of Appeals
for the Fifth Circuit

United States Court of Appeals
Fifth Circuit

FILED

June 13, 2022

Lyle W. Cayce
Clerk

No. 21-11172
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff—Appellee,

versus

LUDIVINA AYALA DIMAS,

Defendant—Appellant.

Appeal from the United States District Court
for the Southern District of Texas
USDC No. 4:21-CR-154-1

Before SOUTHWICK, OLDHAM, and WILSON, *Circuit Judges.*

PER CURIAM:*

Ludivina Ayala Dimas pleaded guilty of possession of a forged security, and she was sentenced within the guidelines range to a 12-month term of imprisonment and to a three-year period of supervised release. The gist of the case is that eight checks were placed in a United States Mail

* Pursuant to 5TH CIRCUIT RULE 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIRCUIT RULE 47.5.4.

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collection box, which were stolen, altered to be made payable to Dimas, and negotiated by her.

Dimas's sentencing guidelines offense level was increased by two levels under U.S.S.G. § 2B1.1(b)(2)(A)(i) because the offense involved at least 10 victims. Under the collection-box rule of § 2B1.1, comment. (n.4(C)), it was presumed by the district court that the offense involved at least 10 victims. Dimas's contention on appeal that application of the collection-box rule in this case is inconsistent with the guideline is unavailing. No error has been shown. The judgment is AFFIRMED.