

United States Court of Appeals for the Fifth Circuit

No. 22-10882
Summary Calendar

United States Court of Appeals
Fifth Circuit

FILED

February 3, 2023

Lyle W. Cayce
Clerk

UNITED STATES OF AMERICA,

Plaintiff—Appellee,

versus

LASHAWNA LASHAE STEWART,

Defendant—Appellant.

Appeal from the United States District Court
for the Northern District of Texas
USDC No. 4:22-CR-76-1

Before STEWART, DUNCAN, and WILSON, *Circuit Judges.*

PER CURIAM:*

Lashawna Lashae Stewart pleaded guilty to one count of bank robbery in violation of 18 U.S.C. § 2113(a) and was sentenced to 160 months of imprisonment. Stewart challenges her sentence enhancement under U.S.S.G. § 4B1.2, arguing that federal bank robbery is not a crime of violence.

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

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The Government has filed an unopposed motion for summary affirmance, correctly asserting that the issue raised on appeal is foreclosed. *See United States v. Butler*, 949 F.3d 230, 232-36 (5th Cir. 2020); *United States v. Brewer*, 848 F.3d 711, 714-16 (5th Cir. 2017). Stewart concedes that the sole issue raised on appeal is foreclosed by our precedent, but she seeks to preserve it for further review. Accordingly, summary affirmance is appropriate. *See Groendyke Transp., Inc. v. Davis*, 406 F.2d 1158, 1162 (5th Cir. 1969). The Government's motion for summary affirmance is GRANTED, and the district court's judgment is AFFIRMED. The Government's alternative motion for an extension of time to file a brief is DENIED.