

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 00-40009
Conference Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

CARLOS EFRAIN PAZ-SEVILLA,

Defendant-Appellant.

Appeal from the United States District Court
for the Southern District of Texas
USDC No. L-99-CR-362-1

October 18, 2000

Before SMITH, BARKSDALE, and BENAVIDES, Circuit Judges.

PER CURIAM:*

Carlos Efrain Paz-Sevilla was convicted for being found in the United States following deportation in violation of 8 U.S.C. § 1326(a). Paz-Sevilla contends that his Fifth Amendment right to due process was violated during his prior deportation proceeding. Paz-Sevilla concedes that his arguments are foreclosed by our opinion in United States v. Benitez-Villafuerte, 186 F.3d 651, 657-60 (5th Cir. 1999), cert. denied, 120 S. Ct. 838 (2000), but states that he wishes to preserve the issue for review by the United States Supreme Court. The judgment is

* 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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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.

No. 00-40009

-2-

AFFIRMED.