

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 01-20170
Conference Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

RICARDO GARZA-CARDENAS,

Defendant-Appellant.

Appeal from the United States District Court
for the Southern District of Texas
USDC No. H-00-CR-614-1

October 29, 2001

Before WIENER, BENAVIDES, and DENNIS, Circuit Judges.

PER CURIAM:*

Ricardo Garza-Cardenas appeals his conviction for illegal reentry after deportation. 8 U.S.C. § 1326. Garza-Cardenas contends that the district court erred in not suppressing evidence of his deportation because his underlying deportation proceedings violated his right to due process. Garza-Cardenas concedes that the only issue raised in this appeal is foreclosed by our decision in United States v. Benitez-Villafuerte, 186 F.3d 651, 659-60 (5th Cir. 1999), cert. denied, 528 U.S. 1097 (2000). The decision of the district court therefore is AFFIRMED.

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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