

February 18, 2004

Charles R. Fulbruge III
Clerk

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 03-40990
Conference Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

SANTOS DE LOS SANTOS,

Defendant-Appellant.

Appeal from the United States District Court
for the Southern District of Texas
USDC No. B-03-CR-297-1

Before HIGGINBOTHAM, EMILIO M. GARZA, and PRADO, Circuit Judges.

PER CURIAM:*

Santos De Los Santos pleaded guilty to one count of transporting an illegal alien in violation of 8 U.S.C. §§ 1324(a)(1)(A)(ii) and 1324(a)(1)(A)(v)(II). The district court sentenced De Los Santos to 27 months' imprisonment and three years' supervised release.

De Los Santos argues that a conflict exists between the district court's oral pronouncement of sentence and the written judgment. The written judgment contains a condition of

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

supervised release prohibiting the possession of a dangerous weapon, but the court did not mention this condition at the sentencing hearing. This issue is foreclosed by United States v. Torres-Aguilar, 352 F.3d 934, 935-38 (5th Cir. 2003).

AFFIRMED.