

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 99-20766
Conference Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

CARLOS DIAZ-FABIAN,

Defendant-Appellant.

- - - - -
Appeal from the United States District Court
for the Southern District of Texas
USDC No. H-98-CR-452-1
- - - - -

April 11, 2000

Before WIENER, DeMOSS, and PARKER, Circuit Judges.

PER CURIAM:*

Carlos Diaz-Fabian appeals from his bench-trial conviction for illegal reentry following deportation in violation of 8 U.S.C. § 1326. Diaz-Fabian contends that the district court erred in denying his motion to suppress evidence of his prior deportation because his prior deportation proceedings violated his right to due process. He concedes that the only issue raised in this appeal is foreclosed by our decision in United States v.

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

Benitez-Villafuerte, 186 F.3d 651, 656-60 (5th Cir. 1999), cert. denied, 120 S. Ct. 838 (2000). The decision of the district court is AFFIRMED.