

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 99-41085
Conference Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

JUAN SAUCEDO-VASQUEZ,

Defendant-Appellant.

- - - - -
Appeal from the United States District Court
for the Southern District of Texas
USDC No. M-99-CR-174-1
- - - - -

October 17, 2000

Before SMITH, BARKSDALE, and BENAVIDES, Circuit Judges.

PER CURIAM:*

Juan Saucedo-Vasquez appeals his conviction for illegal reentry after deportation pursuant to 8 U.S.C. § 1326. Saucedo contends that the district court erred in denying his motion to suppress and to dismiss the indictment, in which he argued that his prior deportation proceedings violated his right to due process. Saucedo concedes that the issue raised in this appeal is foreclosed by our decision in United States v. Benitez-Villafuerte, 186 F.3d 651 (5th Cir. 1999), but raises his contention solely to preserve it for review by the Supreme Court. We affirm the judgment of the district court.

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

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AFFIRMED.