

November 9, 2005

Charles R. Fulbruge III
Clerk

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 05-10570
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

BENIGNO ROBLERO-RODRIGUEZ,

Defendant-Appellant.

Appeal from the United States District Court
for the Northern District of Texas
USDC No. 5:05-CR-32-ALL

Before REAVLEY, GARZA, and BENAVIDES, Circuit Judges.

PER CURIAM:*

Appealing the Judgment in a Criminal Case, Benigno Roblero-Rodriguez raises arguments that are foreclosed by United States v. Valdez-Sanchez, 414 F.3d 539, 541 (5th Cir. 2005), which held that the revocation of supervised release is not an "additional charge" within the meaning of the plea agreement provision barring the Government from bringing additional charges. The Government's motion for summary affirmance is GRANTED, and the judgment of the district court 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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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.