

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 98-41147  
Conference Calendar

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UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

EULOGIO MARTINEZ-RUIZ,  
also known as Nabor Martinez-Ruiz,

Defendant-Appellant.

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Appeal from the United States District Court  
for the Southern District of Texas  
USDC No. M-98-CR-100-1  
- - - - -

December 15, 1999

Before JOLLY, HIGGINBOTHAM, and BARKSDALE, Circuit Judges.

PER CURIAM:\*

Eulogio Martinez-Ruiz (Martinez) appeals his guilty-plea conviction for illegal reentry into the United States following deportation. See 8 U.S.C. § 1326. Martinez argues that the district court erred when it imposed a 16-level increase under U.S.S.G. § 2L1.2(b)(1)(A). Martinez contends that the crime of transporting illegal aliens does not qualify as an aggravated felony under 8 U.S.C. § 1101(a)(43)(N).

This court has held that the crime of transporting aliens

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

qualifies as an aggravated felony under the Sentencing Guidelines. *United States v. Monjaras-Castaneda*, 190 F.3d 326, 331 (5th Cir. 1999). Accordingly, the district court's judgment is AFFIRMED.