

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 99-40652
Conference Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

BARTOLO RODRIGUEZ-JUAREZ,

Defendant-Appellant.

- - - - -
Appeal from the United States District Court
for the Southern District of Texas
USDC No. B-98-CR-549
- - - - -

April 12, 2000

Before WIENER, DeMOSS, and PARKER, Circuit Judges.

PER CURIAM:*

Bartolo Rodriguez-Juarez appeals from his guilty-plea conviction for illegal reentry following deportation in violation of 8 U.S.C. § 1326. Rodriguez contends that the district court erred in denying his motion to dismiss the indictment, in which he argued that 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. Benitez-Villafuerte, 186 F.3d 651, 656-60 (5th Cir. 1999), cert. denied, 120 S. Ct. 838 (2000). The decision of the district

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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