

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 99-41209
Conference Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

CLEMENTE GARCIA-SEGURA,

Defendant-Appellant.

Appeal from the United States District Court
for the Southern District of Texas
USDC No. B-99-CR-195-1

August 22, 2000

Before KING, Chief Judge, and POLITZ and WIENER, Circuit Judges.

PER CURIAM:*

Clemente Garcia-Segura appeals from his conviction following a bench trial for illegal reentry following deportation in violation of 8 U.S.C. § 1326. Garcia-Segura argues 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. 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),

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

but raises his contention solely to preserve it for review by the United States Supreme Court. The decision of the district court is AFFIRMED.