

**IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT**

United States Court of Appeals  
Fifth Circuit

**FILED**

April 17, 2012

Lyle W. Cayce  
Clerk

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No. 11-41156  
Conference Calendar

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UNITED STATES OF AMERICA,

Plaintiff-Appellee

v.

MIGUEL ANGEL ABELDANEZ SANCHEZ,

Defendant-Appellant

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Appeal from the United States District Court  
for the Southern District of Texas  
USDC No. 5:11-CR-864-1

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Before JONES, Chief Judge, and JOLLY and SMITH, Circuit Judges.

PER CURIAM:\*

Appealing the judgment in a criminal case, Miguel Angel Abeldanez Sanchez raises arguments that are foreclosed by *United States v. Newson*, 515 F.3d 374 (5th Cir. 2008), which held that the Government may decline to move for an additional one-point reduction under U.S.S.G. § 3E1.1(b) based on the defendant's refusal to waive his right to appeal. The Government's motion for summary affirmance is GRANTED, the Government's alternative motion for an

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

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extension of time to file a brief is DENIED, and the judgment of the district court is AFFIRMED.