

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

United States Court of Appeals
Fifth Circuit

FILED

February 6, 2013

Lyle W. Cayce
Clerk

No. 12-40916
Summary Calendar

UNITED STATES OF AMERICA

Plaintiff-Appellee

v.

JOSE ANTONIO LARIUS

Defendant-Appellant

Appeal from the United States District Court
for the Southern District of Texas
USDC No. 7:12-CR-500-1

Before KING, CLEMENT, and HIGGINSON, Circuit Judges.

PER CURIAM:*

Appealing the judgment in a criminal case, Jose Antonio Larius raises an argument that he concedes is foreclosed by *United States v. Izaguirre-Flores*, 405 F.3d 270, 277-78 (5th Cir. 2005), which held that the North Carolina offense of taking indecent liberties with a child constitutes “sexual abuse of a minor” and thus is a crime of violence for purposes of the 16-level enhancement under United States Sentencing Guidelines § 2L1.2(b)(1)(A)(ii). Larius’s motion for summary disposition 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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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.