

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

No. 16-41580
Summary Calendar

United States Court of Appeals
Fifth Circuit

FILED

August 14, 2017

Lyle W. Cayce
Clerk

UNITED STATES OF AMERICA,

Plaintiff-Appellee

v.

GABRIEL RENTERIA-BEAR, also known as Gabriel Renteria-Vear,

Defendant-Appellant

Appeal from the United States District Court
for the Southern District of Texas
USDC No. 7:16-CR-1091-1

Before HIGGINBOTHAM, JONES, and SMITH, Circuit Judges.

PER CURIAM:*

Gabriel Renteria-Bear pleaded guilty to being found in the United States after a previous deportation. At sentencing, the district court agreed to recommend that Renteria-Bear be housed in a facility offering job training; that recommendation was not contained in the written judgment. Thus, Renteria-Bear requests remand pursuant to Federal Rule of Criminal Procedure 36 so that the district court can correct the written judgment to

* 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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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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reflect the oral recommendation. The Government concedes that the judgment should be modified to correct the error. Accordingly, we affirm and remand to the district court for correction of the clerical error. *See* FED. R. CRIM. P. 36.

AFFIRMED AND REMANDED with instruction.