

[DO NOT PUBLISH]

IN THE UNITED STATES COURT OF APPEALS  
FOR THE ELEVENTH CIRCUIT

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No. 18-11135  
Non-Argument Calendar

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D.C. Docket No. 1:17-cr-20786-UU-4

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

versus

HERIBERTO MANYOMA DIAZ,

Defendant - Appellant.

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Appeal from the United States District Court  
for the Southern District of Florida

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(December 13, 2018)

Before MARTIN, JILL PRYOR and BLACK, Circuit Judges.

PER CURIAM:

Heriberto Manyoma Diaz appeals his 120-month sentence following his conviction for possession with intent to distribute more than five kilograms of cocaine while onboard a vessel subject to the jurisdiction of the United States, in violation of the Maritime Drug Law Enforcement Act, 46 U.S.C. § 70501 *et seq.* (MDLEA). Diaz contends the MDLEA’s exclusion from safety-valve relief provided in 18 U.S.C. § 3553(f) violates his right to equal protection under the Fifth Amendment. Because Diaz’s sole argument is foreclosed by this Court’s decision in *United States v. Castillo*, 899 F.3d 1208, 1213 (11th Cir. 2018), we affirm. *See United States v. Vega-Castillo*, 540 F.3d 1235, 1236 (11th Cir. 2008) (“Under the prior precedent rule, we are bound to follow a prior binding precedent unless and until it is overruled by this court en banc or by the Supreme Court.” (quotation omitted)).

**AFFIRMED.**