

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

United States Court of Appeals
Fifth Circuit

F I L E D

November 8, 2010

No. 10-40195
Summary Calendar

Lyle W. Cayce
Clerk

UNITED STATES OF AMERICA,

Plaintiff-Appellee

v.

LEONARDO JUAREZ-TORRES,

Defendant-Appellant

Appeal from the United States District Court
for the Southern District of Texas
USDC No. 1:09-CR-862-1

Before REAVLEY, DENNIS, and CLEMENT, Circuit Judges.

PER CURIAM:*

Leonardo Juarez-Torres (Juarez) appeals his guilty plea conviction for aiding and abetting the transportation of an alien within the United States in violation of 8 U.S.C. § 1324(a)(1)(A)(ii) and (a)(1)(A)(v)(II). The district court sentenced Juarez to 60 months of imprisonment and three years of supervised release.

Juarez contends that the district court erred in relying on the hearsay statements of material witnesses to enhance his sentence because he was not

* 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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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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afforded an opportunity to confront the witnesses. Juarez's argument is foreclosed by our precedent. *See United States v. Beydoun*, 469 F.3d 102, 108 (5th Cir. 2006) (citing *Crawford v. Washington*, 541 U.S. 36 (2004)) (holding that the use of hearsay testimony at sentencing does not violate *Crawford*).

The judgment of the district court is AFFIRMED.