

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

United States Court of Appeals
Fifth Circuit

FILED

October 21, 2011

Lyle W. Cayce
Clerk

No. 11-40625
Conference Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee

v.

PEDRO MIRELES-SIFUENTES,

Defendant-Appellant

Appeal from the United States District Court
for the Southern District of Texas
USDC No. 2:11-CR-185-1

Before BENAVIDES, DENNIS, and SOUTHWICK, Circuit Judges.

PER CURIAM:*

Appealing the judgment in a criminal case, Pedro Mireles-Sifuentes presents an argument challenging his sentence on the grounds of double counting that he concedes is foreclosed by *United States v. Calbat*, 266 F.3d 358, 364 (5th Cir. 2001), and *United States v. Box*, 50 F.3d 345, 359 (5th Cir. 1995). See *United States v. Duarte*, 569 F.3d 528, 529-31 (5th Cir. 2009). Accordingly, the Government’s motion for summary affirmance is GRANTED, its alternative

* 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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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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motion for an extension of time to file a brief is DENIED, and the judgment of the district court is AFFIRMED.