

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

No. 13-11200
Conference Calendar

United States Court of Appeals
Fifth Circuit

FILED

August 29, 2014

Lyle W. Cayce
Clerk

UNITED STATES OF AMERICA,

Plaintiff-Appellee

v.

BERTIN ROSALES, also known as Roberto Rosales-Garcia,

Defendant-Appellant

Appeal from the United States District Court
for the Northern District of Texas
USDC No. 4:13-CR-50-1

Before CLEMENT, PRADO, and ELROD, Circuit Judges.

PER CURIAM:*

Appealing the judgment in a criminal case, Bertin Rosales raises arguments that he concedes are foreclosed by *United States v. Serfass*, 684 F.3d 548, 552 (5th Cir. 2012), which held that “the [U.S.S.G.] § 2D1.1(b)(5) sentencing enhancement applies if ‘the offense involved the importation of amphetamine or methamphetamine’ regardless of whether the defendant had knowledge of that importation.” The Government’s motion for summary

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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