

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

No. 13-20571
Summary Calendar

United States Court of Appeals
Fifth Circuit

FILED

December 8, 2014

Lyle W. Cayce
Clerk

Plaintiff-Appellee

UNITED STATES OF AMERICA,

v.

GERARDO ZAVALA-AMADOR, also known as Gerardo Zavala, also known as Gerardo Amador Zavala, also known as Gerardo Amador Zavala, also known as Rogelio Ayala-Garcia,

Defendant-Appellant

Appeal from the United States District Court
for the Southern District of Texas
USDC No. 4:13-CR-323-1

Before PRADO, OWEN, and GRAVES, Circuit Judges.

PER CURIAM:*

Gerardo Zavala-Amador appeals the 57-month sentence imposed following his conviction for illegal reentry. He contends that the district court erred in treating his prior conviction for indecency with a child under Texas Penal Code § 21.11(a)(1) as a crime of violence within the meaning of U.S.S.G. § 2L1.2(b)(1)(A)(ii) and an aggravated felony within the meaning of 8 U.S.C.

* 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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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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§ 1101(a)(43). His arguments are foreclosed by our decisions in *United States v. Elizondo-Hernandez*, 755 F.3d 779, 781-82 (5th Cir. 2014), and *United States v. Rodriguez*, 711 F.3d 541, 560, 562 n.28 (5th Cir.) (en banc), *cert. denied*, 134 S. Ct. 512 (2013).

The judgment of the district court is AFFIRMED.