

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

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No. 13-40894  
Conference Calendar

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United States Court of Appeals  
Fifth Circuit

**FILED**

June 17, 2014

Lyle W. Cayce  
Clerk

UNITED STATES OF AMERICA,

Plaintiff-Appellee

v.

SERGIO DE JESUS VASQUEZ-RIVERA,

Defendant-Appellant

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Appeal from the United States District Court  
for the Southern District of Texas  
USDC No. 7:12-CR-1951-1

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Before KING, HAYNES, and HIGGINSON, Circuit Judges.

PER CURIAM:\*

Appealing the judgment in a criminal case, Sergio De Jesus Vasquez-Rivera raises an argument that he concedes is foreclosed by *United States v. Rodriguez*, 711 F.3d 541, 562 n.28 (5th Cir.) (en banc), *cert. denied*, 134 S. Ct. 512 (2013), in which this court concluded that the generic, contemporary definition of “sexual abuse of a minor” does not include the age-differential requirement asserted. Accordingly, Vasquez-Rivera’s unopposed motion for

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\* 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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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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summary disposition is GRANTED, and the judgment of the district court is AFFIRMED.