

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

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No. 13-41072  
Summary Calendar

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United States Court of Appeals  
Fifth Circuit

**FILED**

June 18, 2014

Lyle W. Cayce  
Clerk

UNITED STATES OF AMERICA,

Plaintiff-Appellee

v.

JOSE MARTIN GARAY-ACEVEDO,

Defendant-Appellant

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Appeal from the United States District Court  
for the Southern District of Texas  
USDC No. 1:13-CR-485-1

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Before WIENER, OWEN, and HAYNES, Circuit Judges.

PER CURIAM:\*

Jose Martin Garay-Acevedo pleaded guilty to one count of attempted illegal reentry after a previous deportation and received a within-guidelines sentence of 24 months in prison. On appeal, Garay-Acevedo argues only that the written judgment incorrectly states that his offense of conviction is illegal reentry rather than attempted illegal reentry. He requests a remand to correct the judgment. The conviction and sentence imposed by the district court are

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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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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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AFFIRMED. However, we REMAND to the district court for the limited purpose of correcting the judgment to reflect the correct offense of conviction.