

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

United States Court of Appeals
Fifth Circuit

FILED

July 16, 2015

Lyle W. Cayce
Clerk

No. 13-41355
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee

v.

VINCENTE PALACIOS-PASCACIO,

Defendant-Appellant

Appeal from the United States District Court
for the Southern District of Texas
USDC No. 7:13-CR-1196-1

Before KING, JOLLY, and HAYNES, Circuit Judges.

PER CURIAM:*

Vincente Palacios-Pascacio (Palacios) appeals the 46-month sentence imposed following his guilty-plea conviction for illegal reentry. He challenges the district court's 16-level enhancement to his offense level under U.S.S.G. § 2L1.2(b)(1)(A)(i) for his 2010 Georgia conviction for possession with the intent to distribute a controlled substance in light of *Moncrieffe v. Holder*, 133 S. Ct.

* 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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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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1678 (2013). This argument is now foreclosed by our recent decision in *United States v. Martinez-Lugo*, 782 F.3d 198, 205 (5th Cir. 2015).

AFFIRMED.