

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

United States Court of Appeals  
Fifth Circuit

**FILED**

October 25, 2013

Lyle W. Cayce  
Clerk

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No. 13-50160  
Conference Calendar

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UNITED STATES OF AMERICA,

Plaintiff-Appellee

v.

JAIME RODRIGUEZ-MORENO,

Defendant-Appellant

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Appeal from the United States District Court  
for the Western District of Texas  
USDC No. 1:12-CR-431-1

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Before JOLLY, JONES, and HIGGINSON, Circuit Judges.

PER CURIAM:\*

Appealing the judgment in a criminal case, Jaime Rodriguez-Moreno raises an argument that he concedes is foreclosed by *United States v. Rodriguez-Escareno*, 700 F.3d 751, 753-54 (5th Cir. 2012), *cert. denied*, 133 S. Ct. 2044 (2013), which held that the sentence enhancement provided for in U.S.S.G. § 2L1.2(b)(1)(A)(i) applies to a conviction for the federal crime of conspiracy to commit a federal drug-trafficking offense. Accordingly, the Government's motion for summary affirmance is GRANTED, its alternative motion for an extension

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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