

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

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No. 14-40311  
Conference Calendar

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United States Court of Appeals  
Fifth Circuit

**FILED**

December 16, 2014

Lyle W. Cayce  
Clerk

UNITED STATES OF AMERICA,

Plaintiff-Appellee

v.

MARIO GOMEZ-PEREZ,

Defendant-Appellant

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Appeal from the United States District Court  
for the Southern District of Texas  
USDC No. 2:13-CR-1055-1

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Before KING, DENNIS, and SOUTHWICK, Circuit Judges.

PER CURIAM:\*

Appealing the judgment in a criminal case, Mario Gomez-Perez raises arguments that he concedes are foreclosed by *United States v. Rodriguez*, 711 F.3d 541, 562 (5th Cir.) (en banc), *cert. denied*, 134 S. Ct. 512 (2013), which held that “the ‘generic, contemporary meaning’ of ‘minor’ in the ‘sexual abuse of a minor’ category under [U.S.S.G.] § 2L1.2 is a person under the age of majority” and that the “age of consent for the purposes of ‘statutory rape’ in

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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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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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§ 2L1.2 is the age of consent as defined by statute.” Accordingly, the unopposed motion for summary disposition is GRANTED, and the judgment of the district court is AFFIRMED.