

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

No. 15-20724
Summary Calendar

United States Court of Appeals
Fifth Circuit

FILED
December 15, 2016

Lyle W. Cayce
Clerk

UNITED STATES OF AMERICA,

Plaintiff-Appellee

v.

CARLOS TREJO-DOMINGUEZ, also known as Carlos Dominguez Trejo, also known as Carlos Hernandez-Herrera,

Defendant-Appellant

Appeal from the United States District Court
for the Southern District of Texas
USDC No. 4:15-CR-365-1

Before KING, DENNIS, and COSTA, Circuit Judges.

PER CURIAM:*

Appealing the judgment in a criminal case, Carlos Trejo-Dominguez raises an argument that is now foreclosed by *United States v. Gonzalez-Longoria*, 831 F.3d 670 (5th Cir. 2016) (en banc), *petition for cert. filed* (Sept. 29, 2016) (No. 16-6259). Trejo also contends that the district court erred by entering judgment reflecting a conviction under 8 U.S.C. § 1326(b)(2), but the

* 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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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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judgment actually reflects the appropriate conviction under § 1326(b)(1). Accordingly, the government's unopposed motion for summary affirmance is GRANTED, and the judgment of the district court is AFFIRMED. The government's alternative motion for an extension of time to file a brief is DENIED as moot.