

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

No. 15-40706
Conference Calendar

United States Court of Appeals
Fifth Circuit

FILED

December 15, 2015

Lyle W. Cayce
Clerk

UNITED STATES OF AMERICA,

Plaintiff-Appellee

v.

JUAN MORENO, also known as Juan Carlos Moreno,

Defendant-Appellant

Appeal from the United States District Court
for the Southern District of Texas
USDC No. 5:14-CR-964-1

Before JONES, SOUTHWICK, and COSTA, Circuit Judges.

PER CURIAM:*

Appealing the judgment in a criminal case, Juan Moreno raises an argument that he concedes is foreclosed by *United States v. Rodriguez*, 711 F.3d 541, 562-63 & n.28 (5th Cir. 2013) (en banc), which held that the generic, contemporary definition of “sexual abuse of a minor” does not require the age of consent to be below 17 years old and does not include the asserted age-

* 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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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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differential requirement. The motion for summary disposition is GRANTED, and the judgment of the district court is AFFIRMED.