

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 16-10232
Summary Calendar

United States Court of Appeals
Fifth Circuit

FILED

May 18, 2017

Lyle W. Cayce
Clerk

UNITED STATES OF AMERICA,

Plaintiff-Appellee

v.

ANTHONY VERDEAN DANIELS,

Defendant-Appellant

Appeal from the United States District Court
for the Northern District of Texas
USDC No. 3:15-CR-185-1

Before BENAVIDES, DENNIS, and PRADO, Circuit Judges.

PER CURIAM:*

Anthony Verdean Daniels appeals his 224-month sentence under the Armed Career Criminal Act, 18 U.S.C. § 924(e), for possession of a firearm by a felon and possession of cocaine with intent to distribute. His appeal rests on the assertion that Texas Penal Code § 30.02 is not divisible under *Mathis v. United States*, 136 S. Ct. 2243 (2016). After his brief was filed, we held that § 30.02 is divisible under *Mathis*. *United States v. Uribe*, 838 F.3d 667, 669-71

* 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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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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(5th Cir. 2016), *cert. denied*, 2017 WL 661924 (Mar. 20, 2017) (No. 16-7969). Accordingly, the judgment of the district court is AFFIRMED.