

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

United States Court of Appeals
Fifth Circuit

FILED

January 25, 2017

Lyle W. Cayce
Clerk

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

v.

EDUARDO GUZMAN GONZALES, also known as Miguel Rojas, also known as El Pantera,

Defendant-Appellant.

Appeal from the United States District Court
for the Southern District of Texas
USDC No. 4:13-CR-628-6

Before REAVLEY, OWEN, and ELROD, Circuit Judges.

PER CURIAM:*

Eduardo Guzman Gonzales appeals his 88-month prison sentence for conspiracy to harbor certain aliens for commercial gain and private financial advantage in violation of 8 U.S.C. § 1324(a)(1)(A)(v)(I), (A)(iii), and (B)(i). He correctly acknowledges that his as-applied Sixth Amendment challenge is foreclosed by circuit precedent. *See United States v. Hernandez*, 633 F.3d 370,

* 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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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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374 (5th Cir. 2011). Accordingly, we GRANT his motion for summary disposition and AFFIRM the judgment of the district court.