

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

United States Court of Appeals
Fifth Circuit

FILED

May 5, 2017

Lyle W. Cayce
Clerk

UNITED STATES OF AMERICA,

Plaintiff-Appellee

v.

LUIS ROBERTO RAMIREZ CASTILLO, also known as Luis Roberto Ramirez, also known as Luis Roberto Ramirez-Castillo,

Defendant-Appellant

Appeal from the United States District Court
for the Southern District of Texas
USDC No. 4:16-CR-177-1

Before DAVIS, SOUTHWICK, and HIGGINSON, Circuit Judges.

PER CURIAM:*

Appealing the judgment in a criminal case, Luis Roberto Ramirez Castillo raises an argument that is foreclosed by *United States v. Rodriguez-Salazar*, 768 F.3d 437, 437-38 (5th Cir. 2014). In *Rodriguez-Salazar*, 768 F.3d at 437-38, we rejected the argument that the Texas offense of theft is broader than the generic, contemporary definition of theft because the Texas offense,

* 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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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.

No. 16-20737

which includes theft by deception, may be committed by taking property with the owner's consent. Accordingly, the motion for summary disposition is GRANTED, and the judgment of the district court is AFFIRMED.