

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

No. 16-40052
Summary Calendar

United States Court of Appeals
Fifth Circuit

FILED

December 27, 2016

Lyle W. Cayce
Clerk

UNITED STATES OF AMERICA,

Plaintiff-Appellee

v.

RAMON ONATO SALDIERNA-ROJAS,

Defendant-Appellant

Appeal from the United States District Court
for the Southern District of Texas
USDC No. 1:15-CR-598-1

Before JONES, WIENER, and CLEMENT, Circuit Judges.

PER CURIAM:*

Ramon Onato Saldierna-Rojas appeals the sentence imposed on his conviction for being an alien found unlawfully in the United States after having been deported following an aggravated felony conviction. Saldierna-Rojas contends that the district court committed reversible error in determining that his 2003 Georgia conviction for aggravated assault constituted a crime of violence for purposes of the enhancement under U.S.S.G. § 2L1.2(b)(1)(A)(ii).

* 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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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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As conceded by Saldierna-Rojas in his motion for summary disposition, his challenge is foreclosed by *United States v. Torres-Jaime*, 821 F.3d 577, 582-85 (5th Cir. 2016), *petition for cert. filed* (Sept. 1, 2016) (No. 16-5853).

Saldierna-Rojas's motion for summary disposition is GRANTED, and the judgment of the district court is AFFIRMED.