

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

United States Court of Appeals
Fifth Circuit

FILED

July 12, 2018

Lyle W. Cayce
Clerk

No. 16-40072
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff–Appellee,

v.

RUDY MARTINEZ-CASTILLO, also known as Maurio Gonzales, also known as Alfredo Noges-Saucedo, also known as Redolfo Martinez-Castillo, also known as Alfredo Martinez-Savavedra,

Defendant–Appellant.

Appeal from the United States District Court
for the Southern District of Texas
USDC No. 5:15-CR-204-1

ON REMAND FROM THE SUPREME COURT OF THE UNITED STATES

Before REAVLEY, OWEN, and ELROD, Circuit Judges.

PER CURIAM:*

We VACATE the district court’s judgment and REMAND so that the judgment may be corrected to reflect that Rudy Martinez-Castillo was convicted under 8 U.S.C. § 1326(b)(1).

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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