

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

No. 16-41202
Summary Calendar

United States Court of Appeals
Fifth Circuit

FILED

August 16, 2017

Lyle W. Cayce
Clerk

UNITED STATES OF AMERICA,

Plaintiff-Appellee

v.

RAMON CARRILLO-HERNANDEZ, also known as Cesar Garcia-Rodriguez,

Defendant-Appellant

Appeal from the United States District Court
for the Southern District of Texas
USDC No. 1:16-CR-110-1

Before KING, ELROD, and HIGGINSON, Circuit Judges.

PER CURIAM:*

Ramon Carrillo-Hernandez pleaded guilty to being an alien unlawfully found in the United States after a previous deportation subsequent to an aggravated felony conviction. The district court sentenced him to 48 months of imprisonment and a three-year term of supervised release. At sentencing, the district court recommended that Carrillo-Hernandez participate in an alcohol abuse treatment program while in prison. The written judgment,

* 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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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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however, recommended that he participate “in an alcohol and/or drug abuse evaluation and treatment program.” Carrillo-Hernandez contends that the written judgment’s deviation from the oral pronouncement is a clerical error and asks this court to remand the case to the district court for a correction of the judgment under Federal Rule of Criminal Procedure 36. We AFFIRM and REMAND to the district court for correction of this clerical error. See FED. R. CRIM. P. 36; *United States v. Mudd*, 685 F.3d 473, 480 (5th Cir. 2012).