

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 16-41670
Summary Calendar

United States Court of Appeals
Fifth Circuit

FILED

August 9, 2017

Lyle W. Cayce
Clerk

UNITED STATES OF AMERICA,

Plaintiff - Appellee

v.

ADAN VEGA-SALAZAR,

Defendant - Appellant

Appeal from the United States District Court
for the Southern District of Texas
USDC No. 7:16-CR-1037-1

Before BARKSDALE, PRADO, and OWEN, Circuit Judges.

PER CURIAM:*

Adan Vega-Salazar pleaded guilty to one count of importing 500 *grams* or more of cocaine, in violation of 21 U.S.C. §§ 952(a), 960(a)(1), 960(b)(2); and 18 U.S.C. § 2. His written judgment, however, describes the nature of his offense as “[i]mporting 500 *kilograms* or more” of cocaine. (Emphasis added.)

* Pursuant to 5th Cir. R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5th Cir. R. 47.5.4.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. 16-41670

For his sole issue on appeal, Vega-Salazar requests his judgment be corrected. As the Government concedes, the judgment contains a non-harmless clerical error.

Accordingly, we affirm and remand to the district court for correction of the clerical error. *See* Fed. R. Crim. P. 36; *United States v. Powell*, 354 F.3d 362, 371–72 (5th Cir. 2003); *United States v. Sapp*, 439 F.2d 817, 821 (5th Cir. 1971).

AFFIRMED and REMANDED with instruction.