

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

United States Court of Appeals
Fifth Circuit

FILED

September 2, 2009

No. 08-31105
Summary Calendar

Charles R. Fulbruge III
Clerk

UNITED STATES OF AMERICA

Plaintiff-Appellee

v.

JESUS WENCES-ADAME

Defendant-Appellant

Appeal from the United States District Court
for the Middle District of Louisiana
USDC No. 3:07-CR-71-1

Before JONES, Chief Judge, and DAVIS and WIENER, Circuit Judges.

PER CURIAM:*

Jesus Wences-Adame (“Wences”) appeals his conviction following a bench trial for assaulting a federal officer, a violation of 18 U.S.C. § 111. He argues that § 111 does not apply to his conduct in assaulting an Emergency Medical Technician (EMT) employed by the West Baton Rouge Parish Detention Center, which had contracted with the United States Department of Justice, Immigration and Naturalization Service, as predecessor to Bureau of Immigration and Customs Enforcement (ICE), Office of Detention and Removal

* 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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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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Operations, and Border Patrol, to hold federal detainees pending their removal. Wences's argument is unavailing in light of *United States v. Jacquez-Beltran*, 326 F.3d 661, 663 (5th Cir. 2003).

AFFIRMED.