

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

No. 15-40630
Summary Calendar

United States Court of Appeals
Fifth Circuit

FILED

March 3, 2016

Lyle W. Cayce
Clerk

UNITED STATES OF AMERICA,

Plaintiff-Appellee

v.

FRANCIS DAVID SALCIE-DE LOS SANTOS,

Defendant-Appellant

Appeal from the United States District Court
for the Southern District of Texas
USDC No. 2:14-CR-884-1

Before JOLLY, DENNIS, and PRADO, Circuit Judges.

PER CURIAM:*

Francis David Salcie-De Los Santos appeals the 18-month sentence he received following his guilty plea conviction for illegal reentry. His sole argument, raised for the first time on appeal, is that the district court erred in assessing an eight-level increase under U.S.S.G. § 2L1.2(b)(1)(C) based on his prior convictions for aggravated felonies. Because Salcie did not raise this argument below, review is for plain error only. *See United States v. Peltier*,

* 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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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. 15-40630

505 F.3d 389, 391 (5th Cir. 2007). To demonstrate plain error, Salcie must show a clear or obvious error that affects his substantial rights; even if he makes this showing, this court has the discretion to correct the error but only if it seriously affects the fairness, integrity, or public reputation of judicial proceedings. *Puckett v. United States*, 556 U.S. 129, 135 (2009). Salcie has failed to satisfy this burden. *See id*; *United States v. Trejo*, 610 F.3d 308, 319 (5th Cir. 2010); *see also* 21 U.S.C. §§ 841(a), 841(b)(1)(C); U.S.S.G. § 2L1.2, comment. (n.3(A)); *United States v. Arces-Venes v. Mukasey*, 512 F.3d 167, 171 (5th Cir. 2007).

The judgment of the district court is AFFIRMED.