

**UNITED STATES COURT OF APPEALS**  
**FOR THE TENTH CIRCUIT**

**October 9, 2018**

**Elisabeth A. Shumaker**  
**Clerk of Court**

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UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

JOE RAY ALIRES,

Defendant - Appellant.

No. 17-2076  
(D.C. No. 1:14-CR-03902-JB-1)  
(D. N.M.)

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**ORDER AND JUDGMENT\***

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Before **MATHESON, BACHARACH**, and **PHILLIPS**, Circuit Judges.

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This matter is before us on the United States' Status Report and Unopposed Motion for Summary Disposition. The United States moves for summary affirmance of the district court's sentencing determination in this case in light of this court's decision in *United States v. Turrieta*, 875 F.3d 1340 (10th Cir. 2017) and the Supreme Court's denial of certiorari in *Turrieta v. United States*, No. 17-8997, -- S.Ct. --, 2018 WL 2303671 (Oct. 1, 2018). Appellant Joe Ray Alires does not oppose the motion.

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\* This order and judgment is not binding precedent, except under the doctrines of law of the case, res judicata, and collateral estoppel. It may be cited, however, for its persuasive value consistent with Fed. R. App. P. 32.1 and 10th Cir. R. 32.1.

Upon consideration, the motion is granted. The judgment of the district court is affirmed.

The mandate shall issue forthwith.

Entered for the Court  
Per Curium