

United States Court of Appeals for the Fifth Circuit

No. 24-40511
Summary Calendar

United States Court of Appeals
Fifth Circuit

FILED

May 28, 2025

Lyle W. Cayce
Clerk

UNITED STATES OF AMERICA,

Plaintiff—Appellee,

versus

SCARLETT JULIETT FUENTES-GAVARRETTE,

Defendant—Appellant.

Appeal from the United States District Court
for the Southern District of Texas
USDC No. 7:23-CR-312-2

Before KING, SOUTHWICK, and ENGELHARDT, *Circuit Judges.*

PER CURIAM:*

Scarlett Juliett Fuentes-Gavarrette was convicted of conspiracy to transport aliens within the United States (Count One), conspiracy to launder monetary instruments (Count Two), and engaging in monetary transactions in property derived from specified unlawful activity (Counts Three and Four). The district court sentenced her to concurrent terms of 120 months

* This opinion is not designated for publication. *See* 5TH CIR. R. 47.5.

No. 24-40511

of imprisonment on Counts One, Three, and Four and 240 months of imprisonment on Count Two. Fuentes-Gavarrette appeals, challenging the district court's application of the four-level enhancement for being an organizer or leader under U.S.S.G. § 3B1.1(a) and its denial of a mitigating role reduction under U.S.S.G. § 3B1.2.

The district court's determination that a defendant was an organizer or leader under § 3B1.1(a) is a factual finding reviewed for clear error. *See United States v. Harris*, 740 F.3d 956, 966-67 (5th Cir. 2014). In light of the un rebutted evidence of Fuentes-Gavarrette's activities and role overseeing other participants in the criminal activity, the district court did not clearly err in applying the § 3B1.1(a) enhancement instead of a § 3B1.2 reduction. *See id.*; *United States v. Castro*, 843 F.3d 608, 612-13 (5th Cir. 2016). Accordingly, the judgment of the district court is AFFIRMED.