

United States Court of Appeals
for the Fifth Circuit

No. 24-50842
Summary Calendar

United States Court of Appeals
Fifth Circuit

FILED

May 12, 2025

Lyle W. Cayce
Clerk

UNITED STATES OF AMERICA,

Plaintiff—Appellee,

versus

HECTOR CRISTOBAL MEJIA-ESTRADA,

Defendant—Appellant.

Appeal from the United States District Court
for the Western District of Texas
USDC No. 5:23-CR-595-1

Before GRAVES, WILLETT, and WILSON, *Circuit Judges*.

PER CURIAM:*

Hector Cristobal Mejia-Estrada was found guilty of illegal reentry into the United States in violation of 8 U.S.C. § 1326(a), (b)(1), and the district court sentenced him to 30 months of imprisonment and three years of supervised release. For the first time on appeal, Mejia-Estrada challenges a condition of supervised release providing that if his probation officer

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

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determines that he poses a risk to another person, the officer may require him to notify that person of the risk. Mejia-Estrada contends that this condition improperly delegates judicial authority to the probation officer.

As Mejia-Estrada correctly concedes, this issue is foreclosed by *United States v. Mejia-Banegas*, 32 F.4th 450, 452 (5th Cir. 2022). He raises the issue to preserve it for further review. The Government has filed an unopposed motion for summary affirmance and, alternatively, for an extension of time to file a merits brief.

Because summary affirmance is appropriate, *see Groendyke Transp., Inc. v. Davis*, 406 F.2d 1158, 1162 (5th Cir. 1969), the Government's motion for summary affirmance is GRANTED, the Government's alternative motion for an extension of time to file a brief is DENIED, and the district court's judgment is AFFIRMED.