

# United States Court of Appeals for the Fifth Circuit

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No. 23-40442  
Summary Calendar

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United States Court of Appeals  
Fifth Circuit

**FILED**

June 9, 2025

Lyle W. Cayce  
Clerk

UNITED STATES OF AMERICA,

*Plaintiff—Appellee,*

*versus*

SANTOS GOMEZ,

*Defendant—Appellant.*

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Appeal from the United States District Court  
for the Eastern District of Texas  
USDC No. 4:20-CR-276-1

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Before HIGGINBOTHAM, JONES, and OLDHAM, *Circuit Judges*.

PER CURIAM:\*

Santos Gomez pleaded guilty to conspiracy to possess with intent to manufacture and distribute methamphetamine, in violation of 21 U.S.C. § 846, and possession of a firearm in furtherance of a drug trafficking crime, in violation of 18 U.S.C. § 924(c). On appeal, he contends that there is an inadequate factual basis to support his firearm conviction, specifically that he

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

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possessed the firearms found in his residence “in furtherance of” the drug conspiracy. 18 U.S.C. § 924(c)(1)(A).

We assume without deciding that plain error review applies. *See United States v. Rodriguez*, 602 F.3d 346, 350-51, 361 (5th Cir. 2010). In light of the entire record, *see United States v. Hicks*, 958 F.3d 399, 401 (5th Cir. 2020), which, inter alia, shows that Gomez was a methamphetamine supplier and the firearms were found in his residence alongside methamphetamine, we conclude that Gomez has not established a clear or obvious error in the district court’s acceptance of the factual basis for his guilty plea, *see United States v. Walker*, 828 F.3d 352, 355-56 (5th Cir. 2016).

Gomez, pro se, has moved for the appointment of new counsel, which is DENIED. The judgment of the district court is AFFIRMED.