

United States Court of Appeals for the Fifth Circuit

No. 24-40788
Summary Calendar

United States Court of Appeals
Fifth Circuit
FILED
December 12, 2025
Lyle W. Cayce
Clerk

UNITED STATES OF AMERICA,

Plaintiff—Appellee,

versus

BENJAMIN RAMIREZ,

Defendant—Appellant.

Appeal from the United States District Court
for the Southern District of Texas
USDC No. 2:24-CR-240-1

Before RICHMAN, SOUTHWICK, and WILLETT, *Circuit Judges*.

PER CURIAM:*

Benjamin Ramirez appeals his conviction for illegal alien transportation. He argues that the district court abused its discretion in admitting evidence of his prior arrest for transporting illegal aliens and for instructing the jury that his prior conviction could serve as evidence of “plan” or “preparation.”

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

No. 24-40788

The court reviews these issues for an abuse of discretion. *See United States v. Kinchen*, 729 F.3d 466, 470 (5th Cir. 2013); *United States v. Naidoo*, 995 F.3d 367, 378 (5th Cir. 2021). Ramirez has failed to show that the district court abused its discretion in admitting evidence of his prior conviction and issuing a limiting instruction to the jury regarding similar acts evidence. *See* FED. R. EVID. 404(b)(1), 403; *United States v. Hernandez-Guevara*, 162 F.3d 863, 871-72 (5th Cir. 1998); *Naidoo*, 995 F.3d at 378-79.

Accordingly, the judgment of the district court is AFFIRMED.