

United States Court of Appeals for the Fifth Circuit

No. 24-50037
Summary Calendar

United States Court of Appeals
Fifth Circuit

FILED

March 31, 2025

Lyle W. Cayce
Clerk

UNITED STATES OF AMERICA,

Plaintiff—Appellee,

versus

MIGUEL ANTONIO CARRILLO,

Defendant—Appellant.

Appeal from the United States District Court
for the Western District of Texas
USDC No. 7:09-CR-249-1

Before SMITH, STEWART, and DUNCAN, *Circuit Judges.*

PER CURIAM:*

Miguel Antonio Carrillo appeals the sentence imposed following the revocation of his supervised release after he failed to complete a substance abuse treatment program successfully. The district court sentenced him to 14 months of imprisonment and two more years of supervised release. The

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

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written judgment provides that, as a condition of his supervised release, Carrillo shall participate in a substance abuse treatment program.

Carrillo contends that the substance abuse treatment condition in the written judgment conflicts with the district court's oral pronouncement. We review for plain error. *See United States v. Martinez*, 15 F.4th 1179, 1181 (5th Cir. 2021). Accordingly, Carrillo "must show an obvious error that impacted his substantial rights and seriously affected the fairness, integrity, or reputation of judicial proceedings." *United States v. Grogan*, 977 F.3d 348, 353 (5th Cir. 2020) (internal quotation marks and citation omitted).

Given the court's clear intent to reimpose a substance abuse treatment condition, there is at most an ambiguity that is resolved by the record. *See United States v. Porter*, 43 F.4th 467, 473 (5th Cir. 2022). Further, given the facts surrounding the revocation and the previously-imposed treatment condition, Carrillo has not shown that if there were any error, it affected his substantial rights. *See id.*

The judgment of the district court is therefore AFFIRMED.