

United States Court of Appeals
for the Fifth Circuit

United States Court of Appeals
Fifth Circuit

FILED

June 17, 2022

Lyle W. Cayce
Clerk

No. 21-51094
CONSOLIDATED WITH
No. 21-51115

UNITED STATES OF AMERICA,

Plaintiff—Appellee,

versus

RAUL LOPEZ-MENDOZA,

Defendant—Appellant.

Appeal from the United States District Court
for the Western District of Texas
USDC No. 4:20-CR-192-1
USDC No. 4:21-CR-511-1

Before HIGGINBOTHAM, HIGGINSON, and DUNCAN, *Circuit Judges.*

PER CURIAM:*

Raul Lopez-Mendoza appeals the sentence imposed for his most recent 8 U.S.C. § 1326 illegal reentry offense, as well as the judgment revoking his supervised release in his prior illegal reentry case and imposing

* Pursuant to 5TH CIRCUIT RULE 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIRCUIT RULE 47.5.4.

No. 21-51094
c/w No. 21-51115

additional prison time. He has not briefed, and has thus abandoned, any argument in the revocation case. *See United States v. Still*, 102 F.3d 118, 122 n.7 (5th Cir. 1996). Lopez-Mendoza's sole claim challenges a condition of supervised release providing that if his probation officer determines that he poses a risk to another person, the officer may require him to notify that person of the risk. The Government has filed an unopposed motion for summary affirmance on the ground that this claim is foreclosed by our recent decision in *United States v. Mejia-Banegas*, 32 F.4th 450 (5th Cir. 2022).

Lopez-Mendoza contends that the district court erred in imposing the risk-notification condition because it constitutes an impermissible delegation of judicial authority. *Mejia-Banegas* rejected this same argument, holding that the district court did not err, plainly or otherwise, by imposing the same condition. 32 F.4th at 451-52. The Government is thus correct that summary disposition is appropriate. *See Groendyke Transp., Inc. v. Davis*, 406 F.2d 1158, 1162 (5th Cir. 1969).

Accordingly, 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.