

# United States Court of Appeals for the Fifth Circuit

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No. 23-60265  
Summary Calendar

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United States Court of Appeals  
Fifth Circuit

**FILED**

July 24, 2025

Lyle W. Cayce  
Clerk

UNITED STATES OF AMERICA,

*Plaintiff—Appellee,*

*versus*

KEVIN LAWRENCE,

*Defendant—Appellant.*

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Appeal from the United States District Court  
for the Southern District of Mississippi  
USDC No. 3:17-CR-149-1

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Before STEWART, GRAVES, and OLDHAM, *Circuit Judges*.

PER CURIAM:\*

Kevin Lawrence, federal prisoner # 07291-043, filed a second motion for a new trial based on an affidavit from a trial witness purporting to recant that witness's inculpatory testimony. After an evidentiary hearing at which the witness recanted the affidavit, the district court denied the motion for a new trial. Lawrence now appeals that decision.

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

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The denial of a motion for a new trial is reviewed for abuse of discretion, with questions of law reviewed de novo and factual findings reviewed for clear error. *United States v. Pratt*, 807 F.3d 641, 645 (5th Cir. 2015). In light of the deference due to the district court's well-supported findings that the recanting affidavit itself was false, Lawrence has failed to demonstrate an abuse of discretion. *See id.*; *United States v. Piazza*, 647 F.3d 559, 565 (5th Cir. 2011).

Accordingly, the judgment of the district court is AFFIRMED. Lawrence's pro se motion for judicial notice is DENIED, and his motion to file a corrected pro se supplemental reply brief is GRANTED.