

# United States Court of Appeals for the Fifth Circuit

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No. 24-50946  
Summary Calendar

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United States Court of Appeals  
Fifth Circuit

**FILED**

January 2, 2026

Lyle W. Cayce  
Clerk

UNITED STATES OF AMERICA,

*Plaintiff—Appellee,*

*versus*

KASSANDRA MADRID,

*Defendant—Appellant.*

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Appeal from the United States District Court  
for the Western District of Texas  
USDC No. 7:24-CR-95-2

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Before HIGGINBOTHAM, ENGELHARDT, and RAMIREZ, *Circuit Judges.*

PER CURIAM:\*

Kassandra Madrid appeals the sentence imposed following her guilty plea conviction for conspiracy to possess with intent to distribute and to distribute 50 grams or more of actual methamphetamine. She argues that the district court plainly erred in not sua sponte awarding her a two-level reduction under U.S.S.G. § 2D1.1(b)(18) because it erroneously believed

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

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that she could not satisfy the criteria for safety valve relief because her co-conspirator possessed a firearm in connection with their drug offense. *See* U.S.S.G. § 5C1.2(a)(2).

The circumstances presented here are not materially different than those presented in *United States v. Alvarez*, No. 23-40085, 2024 WL 5003583, at \*4–5 (5th Cir. Dec. 6, 2024) (unpublished), and for the reasons stated therein Madrid fails to establish plain error.<sup>1</sup>

The judgment of the district court is AFFIRMED.

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<sup>1</sup> Although an unpublished opinion issued on or after January 1, 1996, is not controlling precedent, it may be considered as persuasive authority. *See Ballard v. Burton*, 444 F.3d 391, 401 & n.7 (5th Cir. 2006) (citing 5TH CIR. R. 47.5.4). Because *Alvarez* “addressed the same situation that we confront here,” it is highly persuasive. *Batiste v. Lewis*, 976 F.3d 493, 509 n.4 (5th Cir. 2020).