

United States Court of Appeals  
for the Fifth Circuit

United States Court of Appeals  
Fifth Circuit

**FILED**

June 9, 2026

Lyle W. Cayce  
Clerk

---

No. 24-50960  
Summary Calendar

---

UNITED STATES OF AMERICA,

*Plaintiff—Appellee,*

*versus*

FRANCIS KERR,

*Defendant—Appellant.*

---

Appeal from the United States District Court  
for the Western District of Texas  
USDC No. 2:23-CR-2406-1

---

Before DAVIS, WILSON, and DOUGLAS, *Circuit Judges.*

PER CURIAM:\*

Francis Kerr was convicted by a jury of illegal reentry into the United States, in violation of 8 U.S.C. § 1326(a) and (b)(2), and the district court sentenced him to 30 months of imprisonment and three years of supervised release.

---

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

No. 24-50960

Kerr asserts that he received an unfair trial because the district court erroneously denied his challenge for cause against a juror who is a United States Border Patrol agent. Although the record reflects the district court indeed denied the challenge for cause, it also reflects that the prospective juror ultimately did not serve on the panel. The record does not reveal that defendant exercised a peremptory challenge to excuse this juror. In sum, Kerr fails to show any error related to jury selection and impartiality. *See United States v. Pratt*, 728 F.3d 463, 473 (5th Cir. 2013), abrogated on other grounds by *Molina-Martinez v. United States*, 578 U.S. 189 (2016); *United States v. Wharton*, 320 F.3d 526, 535 (5th Cir. 2003).

The judgment of the district court is AFFIRMED.