

United States Court of Appeals
for the Fifth Circuit

No. 25-10716
Summary Calendar

United States Court of Appeals
Fifth Circuit

FILED
February 25, 2026

Lyle W. Cayce
Clerk

UNITED STATES OF AMERICA,

Plaintiff—Appellee,

versus

OSCAR CARTER,

Defendant—Appellant.

Appeal from the United States District Court
for the Northern District of Texas
USDC No. 4:23-CR-299-1

Before SMITH, HIGGINSON, and WILSON, *Circuit Judges.*

PER CURIAM:*

Oscar Carter appeals from an amended judgment, which was issued after the Probation Office petitioned the district court to modify the conditions of his supervised release. The Probation Office sought the inclusion of various conditions, including some that the district court had previously stricken from an earlier judgment, upon order of this court,

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

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because the conditions were unpronounced. *See United States v. Carter*, No. 24-10262 (5th Cir. Aug. 2, 2024) (unpublished order). Carter argues that the modification of the amended judgment circumvents this court's earlier directive to strike the unpronounced conditions. The Government has filed an unopposed motion for summary affirmance or, alternatively, for an extension of time to file its brief.

As Carter concedes, his argument is foreclosed. *See United States v. Trevino*, 125 F.4th 198, 201-03 (5th Cir. 2024), *cert. denied*, 145 S. Ct. 2690 (2025). Summary affirmance is thus appropriate. *Groendyke Transp., Inc. v. Davis*, 406 F.2d 1158, 1162 (5th Cir. 1969).

Accordingly, the motion for summary affirmance is GRANTED, the alternative motion for an extension of time is DENIED, and the judgment of the district court is AFFIRMED.