

United States Court of Appeals for the Fifth Circuit

No. 25-10782
Summary Calendar

United States Court of Appeals
Fifth Circuit

FILED

August 26, 2026

Lyle W. Cayce
Clerk

UNITED STATES OF AMERICA,

Plaintiff—Appellee,

versus

JORDAN MICHAEL PORTER,

Defendant—Appellant.

Appeal from the United States District Court
for the Northern District of Texas
USDC No. 3:14-CR-270-1

Before KING, HIGGINSON, and DOUGLAS, *Circuit Judges*.

PER CURIAM:*

Jordan Michael Porter previously pleaded guilty to one count of receipt of child pornography and now appeals the sentence imposed following the third revocation of his 10-year term of supervised release. Porter argues that (1) there is a conflict between the oral pronouncement of sentence and the written judgment because the written judgment includes an unpronounced standard condition of supervision, and (2) the special

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

No. 25-10782

condition of supervision prohibiting the use and possession of any gaming console is overly restrictive, in violation of 18 U.S.C. § 3583(d).

Reviewing Porter's first issue for plain error, as he had opportunity to object, the record reveals that there is no conflict between the written and oral pronouncement of sentence because the district court made clear that it was reimposing conditions already written in the prior revocation judgments. *See United States v. Baez-Adriano*, 74 F. 4th 292, 297-98, 301 (5th Cir. 2023). As for the gaming console special condition, it is unnecessarily restrictive, and we exercise our discretion to narrow the condition to prohibit the use or possession, without prior authorization, of gaming consoles that allow access to the internet. *See United States v. Abbate*, 970 F.3d 601, 606-07 (5th Cir. 2020).

AFFIRMED as MODIFIED.