

United States Court of Appeals for the Fifth Circuit

No. 25-10812
Summary Calendar

United States Court of Appeals
Fifth Circuit

FILED

September 16, 2026

Lyle W. Cayce
Clerk

UNITED STATES OF AMERICA,

Plaintiff—Appellee,

versus

EDWIN ENRIQUE GONZALES-MOLINA,

Defendant—Appellant.

Appeal from the United States District Court
for the Northern District of Texas
USDC No. 3:24-CR-561-1

Before SMITH, SOUTHWICK, and OLDHAM, *Circuit Judges*.

PER CURIAM:*

Edwin Enrique Gonzales-Molina appeals the denial of a motion to dismiss his indictment for unlawful reentry to the United States after a previous removal pursuant to 8 U.S.C. § 1326(a), (b)(2). He seeks to challenge the validity of the predicate removal order.

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

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Our review is de novo. *See United States v. Villanueva-Diaz*, 634 F.3d 844, 848 (5th Cir. 2011). A defendant seeking to collaterally attack his underlying removal order must show he exhausted administrative remedies available to seek relief from the order, he was improperly deprived of judicial review of the proceedings at which the order was issued, and the entry of the order was fundamentally unfair. *See* 8 U.S.C. § 1326(d). Gonzalez-Molina fails to make the required showing as to any prong. *See United States v. Cordova-Soto*, 804 F.3d 714, 718-19 (5th Cir. 2015).

AFFIRMED.