

United States Court of Appeals
for the Fifth Circuit

United States Court of Appeals
Fifth Circuit

FILED

September 9, 2026

Lyle W. Cayce
Clerk

No. 25-10838
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff—Appellee,

versus

JUELZ SINCERE ARMSTEAD,

Defendant—Appellant.

Appeal from the United States District Court
for the Northern District of Texas
USDC No. 6:24-CR-19-1

Before JONES, HO, and WILSON, *Circuit Judges*.

PER CURIAM:*

Juelz Sincere Armstead was convicted by a jury of five counts of production and attempted production of child pornography (18 U.S.C. § 2251(a)), two counts of attempted production of child pornography (§ 2251(a)), and seven counts of cyberstalking (18 U.S.C. §§ 2261A(2) and

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

No. 25-10838

2261(b)(5)). He received consecutive sentences totaling 2,940 months of imprisonment.

Armstead first argues that he was denied due process and his trial was fundamentally unfair because a law enforcement agent testified that various images and videos constituted child sexual abuse material. He also argues the district court erred by failing to issue a curative instruction. We conclude that plain error review applies. *See, e.g., United States v. Vargas*, 580 F.3d 274, 277-79 (5th Cir. 2009); *see also Puckett v. United States*, 556 U.S. 129, 135 (2009).

Even if we assume that this testimony, and the failure to provide a curative instruction, was error, in the absence of caselaw holding that it was error, Armstead has not shown the error was clear or obvious. *See United States v. Jones*, 88 F.4th 571, 573 (5th Cir. 2023). Moreover, in light of the testimony from the victims themselves and the overwhelming evidence presented to the jury, Armstead has not shown that any error affected his substantial rights. For the same reasons, we decline to exercise our discretion to correct the error. Thus, Armstead has not shown plain error. *See Puckett*, 556 U.S. at 135; *United States v. McGee*, 821 F.3d 644, 649 (5th Cir. 2016).

Next, Armstead argues the district court procedurally erred by failing to adequately explain its reasons for imposing consecutive sentences. Again, plain error review applies. *See United States v. Coto-Mendoza*, 986 F.3d 583, 585-86 (5th Cir. 2021). The district court stated it considered Armstead's request for at least partially concurrent sentences and provided extensive reasons for its decision to impose the maximum sentence possible. Therefore, Armstead has not shown any error. *See Rita v. United States*, 551 U.S. 338, 356-58 (2007).

Finally, Armstead argues that § 2251(a) is facially unconstitutional. However, as he concedes, this issue is foreclosed. *See United States v. Bailey*,

No. 25-10838

924 F.3d 1289, 1290 (5th Cir. 2019); *United States v. Dickson*, 632 F.3d 186, 189-90, 192 (5th Cir. 2011).

AFFIRMED.