

United States Court of Appeals for the Fifth Circuit

No. 25-10997
Summary Calendar

United States Court of Appeals
Fifth Circuit

FILED

February 24, 2026

Lyle W. Cayce
Clerk

UNITED STATES OF AMERICA,

Plaintiff—Appellee,

versus

JORGE MADRID-URIARTE,

Defendant—Appellant.

Appeal from the United States District Court
for the Northern District of Texas
USDC No. 4:18-CR-200-1

Before KING, HAYNES, and HO, *Circuit Judges.*

PER CURIAM:*

Following the revocation of his supervised release, Jorge Madrid-Uriarte was sentenced within the guidelines range to 24 months of imprisonment, followed by an additional 12-month term of supervised release. He now appeals, arguing, for the first time, that the district court

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

No. 25-10997

was obligated, under *Rita v. United States*, 551 U.S. 338 (2007), to address his nonfrivolous arguments for a lesser sentence.

As a result, review of this forfeited objection is under plain error. *See United States v. Coto-Mendoza*, 986 F.3d 583, 585-86 (5th Cir. 2021). The record reflects that the district court considered Madrid-Uriarte's arguments but implicitly rejected them by selecting a sentence to address the repetitive nature of his violation conduct to address the risk he presented to the community, and to afford adequate deterrence. Indeed, the district court did not err, plainly or otherwise, by failing to specifically reference Madrid-Uriarte's arguments for a lower sentence when imposing its chosen sentence. *See Rita*, 551 U.S. at 343-45, 356, 358-59; *Coto-Mendoza*, 986 F.3d at 584, 586-87 & nn.4-6.

The Government has filed a summary affirmance motion noting that Madrid-Uriarte concedes the reality of the fact that our binding precedent forecloses his issue. Therefore, we conclude that the Government's motion for summary affirmance should be GRANTED. Its alternative motion for an extension of time to file a brief on the merits is DENIED as moot. Accordingly, the judgment of the district court is AFFIRMED.