

# United States Court of Appeals for the Fifth Circuit

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No. 25-20287  
Summary Calendar

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United States Court of Appeals  
Fifth Circuit

**FILED**

May 4, 2026

Lyle W. Cayce  
Clerk

UNITED STATES OF AMERICA,

*Plaintiff—Appellee,*

*versus*

JOSE REFUGIO RODRIGUEZ,

*Defendant—Appellant.*

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Appeal from the United States District Court  
for the Southern District of Texas  
USDC No. 4:21-CR-201-1

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Before HIGGINBOTHAM, ENGELHARDT, and RAMIREZ, *Circuit Judges.*

PER CURIAM:\*

Jose Refugio Rodriguez appeals a condition of his supervised release imposed in connection with his sentence for aiding and abetting a false statement to a federal firearms dealer, requiring him to participate in a mental health treatment program. He asserts that the district court erred by imposing the condition because there was no evidence that he suffered from

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

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a psychological condition that would require treatment upon his release in five years and, in the absence of a diagnosis by a professional, it was improper to rely on his self-assessment of anxiety and depression at the time of sentencing.

Rodríguez fails to show that the district court clearly or obviously erred by relying on his self-reported depression and anxiety to impose the mental health treatment condition. *See United States v. Huerta*, 994 F.3d 711, 715 (5th Cir. 2021); *United States v. Alvarez*, 880 F.3d 236, 240-41 (5th Cir. 2018).

The judgment of the district court is AFFIRMED.