

United States Court of Appeals
for the Fifth Circuit

United States Court of Appeals
Fifth Circuit

FILED

September 17, 2026

Lyle W. Cayce
Clerk

No. 25-20454
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff—Appellee,

versus

RODRICK LAVALLAIS,

Defendant—Appellant.

Appeal from the United States District Court
for the Southern District of Texas
USDC No. 4:20-CR-90-1

Before DAVIS, STEWART, and DUNCAN, *Circuit Judges*.

PER CURIAM:*

Rodrick Lavallais appeals his sentence following the district court's revocation of his supervised release. He argues that the district court erred by relying on bare allegations of new law violations when sentencing him. Additionally, he asserts that the sentence is substantively unreasonable because it was based on an improper factor.

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

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As Lavallais correctly concedes, plain error review applies because he did not raise an objection concerning the alleged bare allegations in the district court. *See United States v. Porter*, 43 F.4th 467, 470 (5th Cir. 2022). On that standard of review, he has not established that the district court erred in commenting on his arrest in Houston, *see United States v. Foley*, 946 F.3d 681, 686-87 (5th Cir. 2020); *United States v. Fields*, 932 F.3d 316, 320, 323 (5th Cir. 2019), or the warrant for his arrest in Iowa, *see Fields*, 932 F.3d at 320; *Porter*, 43 F.4th at 470-71 & n.9.

We likewise review for plain error Lavallais's claim that the sentence was substantively unreasonable because it was based on his failure to comply with the district court's earlier instruction that he work 40 hours per week and earn a regular paycheck. *See United States v. Cano*, 981 F.3d 422, 425 (5th Cir. 2020). On that standard of review, the district court did not clearly or obviously err in referring to that instruction at the revocation hearing to highlight Lavallais's continued failure to pay the balance of his fine, an admitted violation and permissible sentencing consideration. *See id.*

AFFIRMED.