

# United States Court of Appeals for the Fifth Circuit

---

No. 25-30457  
Summary Calendar

---

United States Court of Appeals  
Fifth Circuit

**FILED**

May 14, 2026

Lyle W. Cayce  
Clerk

UNITED STATES OF AMERICA,

*Plaintiff—Appellee,*

*versus*

JOSE ISMAEL RAMIREZ-GONZALEZ,

*Defendant—Appellant.*

---

Appeal from the United States District Court  
for the Western District of Louisiana  
USDC No. 5:24-CR-186-1

---

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

PER CURIAM:\*

A jury found Jose Ismael Ramirez-Gonzalez guilty of one count of illegal reentry, in violation of 8 U.S.C. § 1326(a), and one count of possession of a firearm by an alien illegally in the United States, in violation of 18 U.S.C. § 922(g)(5)(A). He challenges the sufficiency of the evidence on the firearm possession count and argues that the admission of portions of a 911 call

---

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

No. 25-30457

violated both the Sixth Amendment's Confrontation Clause and Rule 403 of the Federal Rules of Evidence.

We review the evidence in the light most favorable to the Government, *see United States v. Danhach*, 815 F.3d 228, 235 (5th Cir. 2016), and with deference to the jury, *see United States v. Alaniz*, 726 F.3d 586, 600 (5th Cir. 2013). Contrary to Ramirez's arguments, there was ample evidence from which a jury could conclude that he knew he was in the United States illegally, and that he constructively possessed the firearm, which was visible and found in a vehicle of which he was the sole occupant. *See United States v. Silva*, 92 F.4th 547, 550-51 (5th Cir. 2024).

Ramirez has failed to show that the content of the 911 call qualifies as testimonial for purposes of Confrontation Clause protection, which he effectively concedes. *See Davis v. Washington*, 547 U.S. 813, 828 (2006); *United States v. Polidore*, 690 F.3d 705, 718-19 (5th Cir. 2021). We also conclude the district court did not abuse its discretion in admitting the call under Rule 403 given its probative value. *See United States v. Dillon*, 532 F.3d 379, 387 (5th Cir. 2008).

AFFIRMED.