

United States Court of Appeals for the Fifth Circuit

No. 25-30647
Summary Calendar

United States Court of Appeals
Fifth Circuit

FILED

September 8, 2026

Lyle W. Cayce
Clerk

UNITED STATES OF AMERICA,

Plaintiff—Appellee,

versus

DAMARIO LYONS,

Defendant—Appellant.

Appeal from the United States District Court
for the Western District of Louisiana
USDC No. 6:23-CR-205-1

Before HAYNES, GRAVES, and RAMIREZ, *Circuit Judges*.

PER CURIAM:*

Damario Lyons appeals the 324-month sentence imposed upon his guilty plea conviction for conspiracy to distribute and possess with intent to distribute 50 grams or more of methamphetamine or 500 grams or more of a mixture or substance containing a detectable amount of methamphetamine. He argues that the district court erroneously applied a two-level enhancement for maintaining a drug premises, *see* U.S.S.G. § 2D1.1(b)(12),

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

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and a two-level enhancement based on his aggravating role in the offense, *see* U.S.S.G. § 3B1.1(c).

The facts contained in the presentence report bore sufficient indicia of reliability to support the report's probable accuracy, and those facts were unrebutted by Lyons. *See United States v. Harris*, 702 F.3d 226, 230 (5th Cir. 2012); *United States v. Fields*, 932 F.3d 316, 320 (5th Cir. 2019). Having reviewed the entire record, including the presentence report, we conclude that Lyons has failed to show that the district court clearly erred in applying either the § 2D1.1(b)(12) enhancement or the § 3B1.1(c) enhancement. *See* U.S.S.G. § 2D1.1(b)(12), comment. (n.17); U.S.S.G. § 3B1.1(c), comment (nn.2 & 4); *United States v. Guzman-Reyes*, 853 F.3d 260, 263-66 (5th Cir. 2017).

Accordingly, the judgment of the district court is AFFIRMED.