

United States Court of Appeals
for the Fifth Circuit

No. 25-40265
Summary Calendar

United States Court of Appeals
Fifth Circuit

FILED
February 26, 2026

Lyle W. Cayce
Clerk

UNITED STATES OF AMERICA,

Plaintiff—Appellee,

versus

MAYELA SABY CANTU,

Defendant—Appellant.

Appeal from the United States District Court
for the Southern District of Texas
USDC No. 7:24-CR-787-1

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

PER CURIAM:*

Mayela Saby Cantu appeals the sentence imposed following her guilty plea conviction for wire fraud, arguing that the district court erred in applying a two-level enhancement under U.S.S.G. § 2B1.1(b)(10)(C) for use of sophisticated means. Where, as here, claims of error have been preserved for appeal, we review the district court's application of the Sentencing

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

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Guidelines de novo and its factual findings for clear error. *United States v. Valdez*, 726 F.3d 684, 692 (5th Cir. 2013). Whether an offense involved sophisticated means is a factual finding reviewed for clear error. *United States v. Miller*, 906 F.3d 373, 376-77 (5th Cir. 2018). A factual finding is not clearly erroneous if it is plausible in light of the record as a whole. *Valdez*, 726 F.3d at 692.

In view of the various suggestions and actions that Cantu took to devise the scheme, including the creation of a fictitious email account and fraudulent lien release documents, it is plausible in light of the record as a whole that her offense involved sophisticated means. *See Valdez*, 726 F.3d at 692, 695. Cantu's preparation of false documents supports the district court's finding that she used sophisticated means. *See United States v. Chon*, 713 F.3d 812, 822-23 (5th Cir. 2013). We have upheld the application of this enhancement based on behavior similar to Cantu's scheme to use a fictitious email address to pose as a third party. *See United States v. Conner*, 537 F.3d 480, 492 (5th Cir. 2008); *United States v. Wright*, 496 F.3d 371, 379 (5th Cir. 2007). The district court did not clearly err by imposing the two-level sophisticated means enhancement under § 2B1.1(b)(10)(C). *See Conner*, 537 F.3d at 492; *Wright*, 496 F.3d at 379.

AFFIRMED.