

United States Court of Appeals for the Fifth Circuit

No. 25-40415
Summary Calendar

United States Court of Appeals
Fifth Circuit

FILED

September 1, 2026

Lyle W. Cayce
Clerk

UNITED STATES OF AMERICA,

Plaintiff—Appellee,

versus

JORDAN ASHTON,

Defendant—Appellant.

Appeal from the United States District Court
for the Southern District of Texas
USDC No. 6:24-CR-42-2

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

PER CURIAM:*

Following a jury trial, Jordan Ashton was convicted of one count of aiding and abetting interference with commerce through robbery and one count of possession of a firearm by a convicted felon and was sentenced to a below-guidelines prison term of 84 months in prison as well as a three-year term of supervised release. Now, he argues that the evidence was insufficient to show he had the requisite intent on the charge of aiding and abetting

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

No. 25-40415

robbery. Because he did not present this argument to the district court, review is for a manifest miscarriage of justice. *See United States v. Wadi*, 153 F.4th 465, 474 (5th Cir. 2025), *cert. denied*, 2026 WL 1513302 (U.S. June 1, 2026) (No. 25-7177). Under this standard, the jury’s verdict will be overturned “only if the record is devoid of evidence pointing to guilt, or because the evidence on a key element of the offense is so tenuous that a conviction would be shocking.” *Id.* at 475 (internal quotations, citation, ellipsis, and brackets omitted).

This standard is not met because trial evidence showing that Ashton acted as a lookout and getaway driver suffices to uphold the disputed conviction. *See United States v. Nieto*, 721 F.3d 357, 367 (5th Cir. 2013); *United States v. Willis*, 559 F.2d 443, 444 (5th Cir. 1977). The judgment of the district court is AFFIRMED.