

United States Court of Appeals for the Fifth Circuit

No. 25-40488
Summary Calendar

United States Court of Appeals
Fifth Circuit

FILED

July 16, 2026

Lyle W. Cayce
Clerk

UNITED STATES OF AMERICA,

Plaintiff—Appellee,

versus

JESUS RODRIGUEZ-GARZA,

Defendant—Appellant.

Appeal from the United States District Court
for the Southern District of Texas
USDC No. 7:24-CR-1879-1

Before SMITH, SOUTHWICK, and OLDHAM, *Circuit Judges*.

PER CURIAM:*

Jesus Rodriguez-Garza appeals the 42-month sentence imposed following his guilty plea conviction for conspiring to transport aliens within the United States. Rodriguez-Garza now challenges the district court's decision to apply a two-level enhancement pursuant to U.S.S.G. § 2L1.1(b)(5)(C) based on his coconspirator's possession of a dangerous

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

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weapon. Specifically, he contends that there was insufficient evidence to support the enhancement and that his coconspirator's possession of the dangerous weapon did not constitute relevant conduct.

Under § 2L1.1(b)(5)(C), a defendant's base offense level should be increased by two levels "[i]f a dangerous weapon (including a firearm) was possessed." U.S.S.G. § 2L1.1(b)(5)(C). The record supports that there was sufficient evidence that Rodriguez-Garza's coconspirator possessed a firearm and that it constituted relevant conduct for purposes of U.S.S.G. § 1B1.3(a)(1)(B). Therefore, the district court did not clearly err when it enhanced Rodriguez-Garza's offense level pursuant to § 2L1.1(b)(5)(C). *See United States v. Trujillo*, 502 F.3d 353, 356 (5th Cir. 2007).

AFFIRMED.