

United States Court of Appeals
for the Fifth Circuit

United States Court of Appeals
Fifth Circuit

FILED

November 25, 2025

Lyle W. Cayce
Clerk

No. 25-50212
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff—Appellee,

versus

ROLANDO HERIBERTO SANCHES-RAUDALES,

Defendant—Appellant.

Appeal from the United States District Court
for the Western District of Texas
USDC No. 2:24-CR-2366-1

Before STEWART, GRAVES, and OLDHAM, *Circuit Judges*.

PER CURIAM:*

Rolando Heriberto Sanches-Raudales appeals the sentence imposed following his guilty plea conviction for illegal reentry in violation of 8 U.S.C. § 1326(a). He argues that the statutory sentencing enhancement in § 1326(b) is unconstitutional. As he correctly concedes, this issue is foreclosed by *Almendarez-Torres v. United States*, 523 U.S. 224 (1998). *See United States v.*

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

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Pervis, 937 F.3d 546, 553-54 (5th Cir. 2019). The Government has filed an unopposed motion for summary affirmance or, alternatively, for an extension of time to file a brief.

Because summary affirmance is appropriate, *see Groendyke Transp., Inc. v. Davis*, 406 F.2d 1158, 1162 (5th Cir. 1969), the Government's motion for summary affirmance is GRANTED, the Government's alternative motion for an extension of time to file a brief is DENIED, and the district court's judgment is AFFIRMED.