

United States Court of Appeals
for the Fifth Circuit

No. 25-50421
Summary Calendar

United States Court of Appeals
Fifth Circuit

FILED

March 9, 2026

Lyle W. Cayce
Clerk

UNITED STATES OF AMERICA,

Plaintiff—Appellee,

versus

EDWARD JAMES DROST,

Defendant—Appellant.

Appeal from the United States District Court
for the Western District of Texas
USDC No. 2:23-CR-2781-1

Before WIENER, WILLETT, and WILSON, *Circuit Judges.*

PER CURIAM:*

Defendant-Appellant Edward James Drost appeals the 48-month sentence imposed following his guilty plea conviction for conspiracy to transport illegal aliens. He argues that the district court committed procedural error when it stated that it could not consider his need for medical care as a sentencing factor.

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

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Although the district court expressly stated that it could not consider Drost's need for medical care, this statement, evaluated in the context of the entire sentencing hearing, *see United States v Diaz Sanchez*, 714 F.3d 289, 294 (5th Cir. 2013) ("We focus on the district court's statements in the context of the sentencing proceeding as a whole."), referred to the costs of medical care and not Drost's actual need for medical care. The record reveals that the district court either explicitly or implicitly considered Drost's need for medical care. Accordingly, the district court did not commit error, plain or otherwise.

AFFIRMED. The accompanying motion to expedite is DISMISSED as moot.