

United States Court of Appeals for the Fifth Circuit

No. 26-10077
Summary Calendar

United States Court of Appeals
Fifth Circuit

FILED

October 13, 2026

Thomas B. Plunkett, III
Clerk

UNITED STATES OF AMERICA,

Plaintiff—Appellee,

versus

ERASTO SANCHEZ-SANCHEZ,

Defendant—Appellant.

Appeal from the United States District Court
for the Northern District of Texas
USDC No. 3:24-CR-521-1

Before WILLETT, DUNCAN, and ENGELHARDT, *Circuit Judges*.

PER CURIAM:*

Erasto Sanchez-Sanchez pleaded guilty to possession with intent to distribute cocaine and possession of a firearm in furtherance of a drug trafficking crime. He challenges the procedural reasonableness of his 57-month sentence for the drug offense, asserting that the district court erred by deferring to a new prosecutorial policy of the United States Attorney's Office and refusing to consider whether a downward variance was necessary under

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

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18 U.S.C. § 3553(a)(6) to avoid unwarranted sentence disparities with those defendants sentenced under the previous policy.

The record shows that the district court understood and simply rejected Sanchez-Sanchez's disparity-based arguments. The record also reflects that the court understood the advisory nature of the Guidelines and that it could grant a downward variance for policy reasons if it were so inclined. The district court made an individualized assessment of punishment under the § 3553(a) factors and concluded that the guidelines minimum sentence was appropriate because of Sanchez-Sanchez's history and characteristics, the nature and circumstances of his offense, and the need to promote respect for the law and afford adequate deterrence. We find no procedural error, plain or otherwise. *See Gall v. United States*, 552 U.S. 38, 49-51 (2007); *United States v. Mondragon-Santiago*, 564 F.3d 357, 361 (5th Cir. 2009).

Sanchez-Sanchez similarly challenges the substantive reasonableness of the 57-month sentence because it fails to account for the need to avoid unwarranted sentence disparities under § 3553(a)(6). However, for the reasons discussed above, he fails to show that the district court did not give weight to a sentencing factor that "should have received significant weight." *United States v. Fatani*, 125 F.4th 755, 761 (5th Cir. 2025) (internal quotation marks and citation omitted). His remaining arguments about his history and characteristics and the nature and circumstances of his offense simply invite us to "reweigh the district court's calculus of the relevant factors," which we will not do. *Id.* at 762 (internal quotation marks and citation omitted). Such arguments do not rebut the presumption of reasonableness afforded to his guidelines sentence, *id.*, and he has failed to show an abuse of discretion. *See Holguin-Hernandez v. United States*, 589 U.S. 169, 173-74 (2020). Accordingly, the district court's judgment is AFFIRMED.