

United States Court of Appeals for the Fifth Circuit

No. 26-40006
Summary Calendar

United States Court of Appeals
Fifth Circuit

FILED

October 28, 2026

Thomas B. Plunkett, III
Clerk

UNITED STATES OF AMERICA,

Plaintiff—Appellee,

versus

JESUS FELIPE HERNANDEZ RANGEL,

Defendant—Appellant.

Appeal from the United States District Court
for the Southern District of Texas
USDC No. 7:25-CR-1717-3

Before HIGGINBOTHAM, SMITH, and HO, *Circuit Judges.*

PER CURIAM:*

Jesus Felipe Hernandez Rangel appeals the 87-month sentence imposed upon his guilty plea conviction for conspiracy to transport aliens within the United States in a manner which placed the life of a person in jeopardy. He argues that the district court erroneously applied a four-level enhancement because a handgun was brandished in the offense, *see* U.S.S.G. § 2L1.1(b)(5)(B), and a four-level enhancement because one of the illegal

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

No. 26-40006

aliens being transported was an unaccompanied minor, *see* U.S.S.G. § 2L1.1(b)(4).

The first issue, but not the second issue, raised by Hernandez Rangel was preserved because he raised it in the district court. *United States v. Zuniga*, 720 F.3d 587, 589–90 (5th Cir. 2013). We review his second issue only for plain error. *United States v. Ramirez*, 37 F.4th 233, 235 (5th Cir. 2022). The facts recited in the presentence report bore sufficient indicia of reliability to support their accuracy, and as they were unrebutted by Hernandez Rangel, the district court was entitled to rely upon them. *See United States v. Fuentes*, 775 F.3d 213, 220 (5th Cir. 2014); *United States v. Alaniz*, 726 F.3d 586, 619 (5th Cir. 2013). We conclude that Hernandez Rangel has failed to show that the district court clearly erred in applying the § 2L1.1(b)(5)(B) or the § 2L1.1(b)(4) enhancements. *See* U.S.S.G. § 1B1.3(a)(1)(B); U.S.S.G. § 2L1.1(b)(4) and (b)(5)(B); *United States v. Corona-Montano*, 168 F.4th 349, 350 (5th Cir. 2026); *United States v. Gutierrez-Mendez*, 752 F.3d 418, 427–29 (5th Cir. 2014); *United States v. Cisneros-Gutierrez*, 517 F.3d 751, 764–66 (5th Cir. 2008).

AFFIRMED.