

United States Court of Appeals for the Fifth Circuit

No. 26-40028
Summary Calendar

United States Court of Appeals
Fifth Circuit

FILED

July 14, 2026

Lyle W. Cayce
Clerk

UNITED STATES OF AMERICA,

Plaintiff—Appellee,

versus

MARVIN ANTONIO REYES,

Defendant—Appellant.

Appeal from the United States District Court
for the Southern District of Texas
USDC No. 2:23-CR-522-1

Before JONES, HO, and WILSON, *Circuit Judges*.

PER CURIAM:*

Marvin Antonio Reyes pleaded guilty to conspiring to transport illegal aliens in violation of 8 U.S.C. § 1324(a)(1)(A)(ii), (a)(1)(A)(v)(I), and (a)(1)(B)(i). On appeal, he challenges the district court's denial of his postjudgment motion to withdraw his guilty plea and argues that his plea was induced by the ineffective assistance of counsel.

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

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Although Reyes asserts that the record is sufficient to review his ineffective assistance claims, we are unable to evaluate his allegations on this record. We therefore decline to consider the claims without prejudice to collateral review. *See United States v. Isgar*, 739 F.3d 829, 841 (5th Cir. 2014).

Reyes fails to show that the district court erred by denying his postjudgment motion to withdraw his plea. *See* FED. R. CRIM. P. 11(e). He likewise fails to meet the stringent standard for withdrawal at this stage. *See United States v. Glinsey*, 209 F.3d 386, 397 (5th Cir. 2000).

The record confirms that Reyes's guilty plea was knowing and voluntary. *See United States v. Pearson*, 910 F.2d 221, 223 (5th Cir. 1990); *see also United States v. Washington*, 480 F.3d 309, 316 (5th Cir. 2007). Inasmuch as Reyes challenges the district court's order of forfeiture, because the argument was raised for the first time in the reply brief, we will not consider it. *See United States v. Aguirre-Villa*, 460 F.3d 681, 683 n.2 (5th Cir. 2006).

The district court's judgment is AFFIRMED.