

United States Court of Appeals for the Fifth Circuit

No. 26-40035
Summary Calendar

United States Court of Appeals
Fifth Circuit

FILED

September 25, 2026

Lyle W. Cayce
Clerk

UNITED STATES OF AMERICA,

Plaintiff—Appellee,

versus

PARIS LYNN BENNETTE,

Defendant—Appellant.

Appeal from the United States District Court
for the Eastern District of Texas
USDC No. 1:24-CR-105-1

Before HAYNES, GRAVES, and RAMIREZ, *Circuit Judges*.

PER CURIAM:*

Paris Lynn Bennette appeals from the sentence imposed following his guilty plea conviction for possession with intent to distribute methamphetamine. For the first time on appeal, he argues that the district court erred by failing to advise him of any applicable forfeiture before accepting his guilty plea and by omitting forfeiture in the oral pronouncement of his sentence. Because Bennette had prior notice of the forfeiture, we

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

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review both of these challenges only for plain error. *See United States v. Vonn*, 535 U.S. 55, 59 (2002); *United States v. Omigie*, 977 F.3d 397, 403-05 (5th Cir. 2020). To succeed under that standard of review, Bennette must show a forfeited error that is clear or obvious and that affects his substantial rights. *See Puckett v. United States*, 556 U.S. 129, 135 (2009). If he makes that showing, this court has the discretion to correct the error only if it “seriously affects the fairness, integrity, or public reputation of judicial proceedings.” *Id.* (internal quotation marks and citation omitted).

Even assuming that Bennette has shown clear or obvious error in each of his challenges, his failure to meet the third prong of that standard prevents him from showing reversible error as to either issue. *See Puckett*, 556 U.S. at 135. Our review of the entire record does not show a reasonable probability that Bennette would not have pleaded guilty if he had been informed of the applicable forfeiture at arraignment because he received prior notice of the forfeiture in his indictment and at his arraignment hearing and he did not object to subsequent references to the forfeiture, including the Government’s unopposed motion for a preliminary order of forfeiture. *See United States v. Dominguez Benitez*, 542 U.S. 74, 83 (2004). Similarly, the record does not support a reasonable probability that the district court would have imposed a lesser forfeiture amount, or no forfeiture at all, if the district court had orally announced the forfeiture at sentencing. *See Omigie*, 977 F.3d at 404. To the extent that Bennette relies on *United States v. Diggles*, 957 F.3d 551 (5th Cir. 2020), that argument fails because Bennette received notice of the forfeiture and an opportunity to object. *See Diggles*, 957 F.3d at 560.

Accordingly, the district court’s judgment is AFFIRMED.