

United States Court of Appeals for the Fifth Circuit

No. 26-50182
Summary Calendar

United States Court of Appeals
Fifth Circuit
FILED
September 30, 2026

Lyle W. Cayce
Clerk

UNITED STATES OF AMERICA,

Plaintiff—Appellee,

versus

RONNIE JACKSON,

Defendant—Appellant.

Appeal from the United States District Court
for the Western District of Texas
USDC No. 6:18-CR-354-1

Before SMITH, SOUTHWICK, and OLDHAM, *Circuit Judges*.

PER CURIAM:*

Ronnie Jackson, federal prisoner # 21705-480, is serving a 142-month term of imprisonment, which was imposed following his convictions on four counts of interference with commerce by robbery and one count of brandishing a firearm during a crime of violence. In the instant appeal, Jackson challenges the district court's (i) order denying his motion for compassionate release under 18 U.S.C. § 3582(c)(1)(a); and (ii) order

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

No. 26-50182

denying his motion for reconsideration of the denial of his compassionate release motion.

As to his appeal of the district court's order denying his motion for compassionate release, Jackson's motion was a step in his criminal case. *See United States v. Alvarez*, 210 F.3d 309, 310 (5th Cir. 2000). Thus, the deadline for Jackson to file his notice of appeal was 14 days from the entry of the December 5, 2025, order denying his motion. *See* FED. R. APP. P. 4(b)(1)(A)(i); *Alvarez*, 210 F.3d 309, 310 (5th Cir. 2000). Accordingly, his notice of appeal, filed no earlier than February 19, 2026, was not timely and was filed outside the 30-day period following the December 19 appeal deadline in which the district court could have granted an extension based on a showing of excusable neglect or good cause. *See* FED. R. APP. P. 4(b)(4). While the timely filing of a notice of appeal in a criminal case is not jurisdictional, it is mandatory. *United States v. Pesina-Rodriguez*, 825 F.3d 787, 788 (5th Cir. 2016). We will enforce the mandatory time limit by dismissing the appeal where, as here, the Government invokes the untimeliness of Jackson's appeal under Rule 4(b)(1). *See United States v. Hernandez-Gomez*, 795 F.3d 510, 511 (5th Cir. 2015). Accordingly, Jackson's appeal of the district court's order denying his compassionate release motion is DISMISSED as untimely.

As to his appeal of the district court's order denying his motion for reconsideration, we construe his motion as arising under Federal Rule of Civil Procedure 60(b). *See United States v. Garrett*, 15 F.4th 335, 339-40 (5th Cir. 2021). Jackson fails to demonstrate that Rule 60(b) relief was warranted. *See* FED. R. CIV. P. 60(b)(1)-(6). Accordingly, he has shown no abuse of discretion in the district court's denial of the motion. *See Behringer v. Johnson*, 75 F.3d 189, 190 (5th Cir. 1996). The district court's denial of Jackson's motion for reconsideration is AFFIRMED.