

United States Court of Appeals for the Fifth Circuit

No. 25-11003
Summary Calendar

United States Court of Appeals
Fifth Circuit

FILED

April 21, 2026

Lyle W. Cayce
Clerk

UNITED STATES OF AMERICA,

Plaintiff—Appellee,

versus

GERARDO PEREZ-CHECA,

Defendant—Appellant.

Appeal from the United States District Court
for the Northern District of Texas
USDC No. 4:25-CR-46-1

Before SMITH, HIGGINSON, and WILSON, *Circuit Judges*.

PER CURIAM:*

Gerardo Perez-Checa appeals the 21-month, within-guidelines sentence imposed upon his guilty plea conviction for illegal reentry. He contends that the district court's explanation for the sentence was inadequate because the court did not specifically respond to his nonfrivolous arguments for a lesser sentence.

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

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Perez-Checa's challenge to his sentence is not so clearly foreclosed by circuit precedent as to warrant summary affirmance. *See Groendyke Transp., Inc. v. Davis*, 406 F.2d 1158, 1162 (5th Cir. 1969). Accordingly, we DENY the Government's motion for summary affirmance. *See id.* Nevertheless, we dispense with further briefing and therefore DENY the Government's alternative motion for an extension of time to file an appellate brief. *See United States v. Bailey*, 924 F.3d 1289, 1290 (5th Cir. 2019).

We review Perez-Checa's forfeited challenge to the procedural reasonableness of his sentence for plain error. *See United States v. Coto-Mendoza*, 986 F.3d 583, 585–86 (5th Cir. 2021). The district court provided sufficient reasons for its choice of a within-guidelines sentence, and Perez-Checa fails to show plain error. *See Rita v. United States*, 551 U.S. 338, 343–45, 356–59 (2007); *Coto-Mendoza*, 986 F.3d at 584–87 & nn.4–6.

AFFIRMED.