

United States Court of Appeals for the Fifth Circuit

United States Court of Appeals
Fifth Circuit

FILED

July 28, 2026

Lyle W. Cayce
Clerk

No. 25-11212
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff—Appellee,

versus

DEREK LYN MINGER,

Defendant—Appellant.

Appeal from the United States District Court
for the Northern District of Texas
USDC No. 3:03-CR-243-1

Before WILLETT, DUNCAN, and ENGELHARDT, *Circuit Judges*.

PER CURIAM:*

Derek Lyn Minger appeals from the revocation of his supervised release and the resulting sentence of 28 months' imprisonment followed by 30 months of supervised release. He challenges a condition of supervised release requiring him to participate in sex-offender treatment that may include plethysmograph testing. Minger acknowledges that his challenge is foreclosed but raises it to preserve the issue for further review. The

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

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Government has filed an unopposed motion for summary affirmance, agreeing that the issue is foreclosed. In the alternative, it seeks an extension of time to file its brief.

Minger's challenge to the supervised-release condition is not ripe for review. *See United States v. Ellis*, 720 F.3d 220, 227 (5th Cir. 2013). We therefore lack jurisdiction over it, and the appeal is DISMISSED. *See United States v. Magana*, 837 F.3d 457, 459-60 (5th Cir. 2016). The Government's motion for summary affirmance and its alternative motion for an extension of time to file a brief are DENIED AS MOOT.