

United States Court of Appeals for the Fifth Circuit

No. 25-20287
Summary Calendar

United States Court of Appeals
Fifth Circuit

FILED

May 4, 2026

Lyle W. Cayce
Clerk

UNITED STATES OF AMERICA,

Plaintiff—Appellee,

versus

JOSE REFUGIO RODRIGUEZ,

Defendant—Appellant.

Appeal from the United States District Court
for the Southern District of Texas
USDC No. 4:21-CR-201-1

Before HIGGINBOTHAM, ENGELHARDT, and RAMIREZ, *Circuit Judges.*

PER CURIAM:*

Jose Refugio Rodriguez appeals a condition of his supervised release imposed in connection with his sentence for aiding and abetting a false statement to a federal firearms dealer, requiring him to participate in a mental health treatment program. He asserts that the district court erred by imposing the condition because there was no evidence that he suffered from

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

No. 25-20287

a psychological condition that would require treatment upon his release in five years and, in the absence of a diagnosis by a professional, it was improper to rely on his self-assessment of anxiety and depression at the time of sentencing.

Rodriguez fails to show that the district court clearly or obviously erred by relying on his self-reported depression and anxiety to impose the mental health treatment condition. *See United States v. Huerta*, 994 F.3d 711, 715 (5th Cir. 2021); *United States v. Alvarez*, 880 F.3d 236, 240-41 (5th Cir. 2018).

The judgment of the district court is AFFIRMED.