

United States Court of Appeals
for the Fifth Circuit

United States Court of Appeals
Fifth Circuit

FILED

February 10, 2026

Lyle W. Cayce
Clerk

No. 25-50494
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff—Appellee,

versus

SANTIAGO HERNANDEZ-DE LA CRUZ,

Defendant—Appellant.

Appeal from the United States District Court
for the Western District of Texas
USDC No. 7:25-CR-8-1

Before STEWART, GRAVES, and OLDHAM, *Circuit Judges*.

PER CURIAM:*

Santiago Hernandez-De La Cruz appeals his guilty-plea conviction and sentence for illegal reentry following deportation in violation of 8 U.S.C. § 1326. He asserts that the written judgment contains a clerical error as it incorrectly states that he was convicted under §§ 1326(a) and 1326(b)(1). The Government concurs. Hernandez-De La Cruz asks this court to remand

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

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the case to the district court with an instruction to correct the judgment to reflect that he was convicted under § 1326(a).

We agree that the written judgment incorrectly states that Hernandez-De La Cruz was convicted and sentenced under §§ 1326(a) and 1326(b)(1). The judgment is AFFIRMED, and the case is REMANDED to the district court for the limited purpose of entering a corrected judgment to reflect that Hernandez-De La Cruz was convicted and sentenced under § 1326(a). *See* FED. R. CRIM. P. 36.