

No. _____

IN THE SUPREME COURT OF THE UNITED STATES

OSCAR CARTER,

Petitioner,

v.

UNITED STATES OF AMERICA,

Respondent.

ON PETITION FOR A WRIT OF CERTIORARI
TO THE UNITED STATES COURT OF APPEALS FOR THE FIFTH CIRCUIT

APPENDIX

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/s/ Quincy Hope Ferrill
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INDEX TO APPENDICES

Appendix A Opinion of Fifth Circuit, *United States v. Carter*,
No. 25-10716, 2026 WL 524479 (5th Cir. Feb. 25, 2026) (Unpublished)

Appendix B Judgment and Sentence of the United States District Court
for the Northern District of Texas, entered June 06, 2025.
United States v. Carter, Dist. Court 4:23-CR-299-O.

APPENDIX A

United States Court of Appeals
for the Fifth Circuit

No. 25-10716
Summary Calendar

United States Court of Appeals
Fifth Circuit

FILED
February 25, 2026

Lyle W. Cayce
Clerk

UNITED STATES OF AMERICA,

Plaintiff—Appellee,

versus

OSCAR CARTER,

Defendant—Appellant.

Appeal from the United States District Court
for the Northern District of Texas
USDC No. 4:23-CR-299-1

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

PER CURIAM:*

Oscar Carter appeals from an amended judgment, which was issued after the Probation Office petitioned the district court to modify the conditions of his supervised release. The Probation Office sought the inclusion of various conditions, including some that the district court had previously stricken from an earlier judgment, upon order of this court,

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

No. 25-10716

because the conditions were unpronounced. *See United States v. Carter*, No. 24-10262 (5th Cir. Aug. 2, 2024) (unpublished order). Carter argues that the modification of the amended judgment circumvents this court's earlier directive to strike the unpronounced conditions. The Government has filed an unopposed motion for summary affirmance or, alternatively, for an extension of time to file its brief.

As Carter concedes, his argument is foreclosed. *See United States v. Trevino*, 125 F.4th 198, 201-03 (5th Cir. 2024), *cert. denied*, 145 S. Ct. 2690 (2025). Summary affirmance is thus appropriate. *Groendyke Transp., Inc. v. Davis*, 406 F.2d 1158, 1162 (5th Cir. 1969).

Accordingly, the motion for summary affirmance is GRANTED, the alternative motion for an extension of time is DENIED, and the judgment of the district court is AFFIRMED.

APPENDIX B

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
Fort Worth Division

UNITED STATES OF AMERICA

v.

Case Number: 4:23-CR-00299-O(01)

OSCAR CARTER

U.S. Marshal's No.: 32168-177

***AMENDED JUDGMENT IN A CRIMINAL CASE**
(For **Revocation** of Probation or Supervised Release)
(For Offenses Committed On or After November 1, 1987)

The defendant, OSCAR CARTER, was represented by Joshua Smith Rhodes.

THE DEFENDANT:

Pled true to violating Paragraph I and III of the Petition for Offender Under Supervision, dated February 7, 2024. The Court made a finding of true to defendant violating Paragraph II.

See Petition for Offender Under Supervision.

Certified copy of the Judgment imposed on November 1, 2022, in the U.S. District Court for the Western District of Pennsylvania, is attached.

As pronounced on March 15, 2024, the defendant is sentenced as provided on page 2-5 of this Judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984. *Conditions of supervised release orally pronounced at hearing on June 6, 2025, pursuant to the Opinion of USCA 24-10262.*

IT IS FURTHER ORDERED that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant shall notify the court and United States Attorney of any material change in the defendant's economic circumstances.

Signed *June 6, 2025*.


REED O'CONNOR
U.S. DISTRICT JUDGE

Conditions orally pronounced pursuant to the Opinion of USCA 24-10262

25-10716.167

Judgment in a Criminal Case for Revocation
Defendant: OSCAR CARTER
Case Number: 4:23-CR-00299-O(1)

Page 2 of 5

IMPRISONMENT

The defendant, OSCAR CARTER, is hereby committed to the custody of the United States Bureau of Prisons (BOP) to be imprisoned for a term of THIRTEEN (13) MONTHS as to Count One and THIRTEEN (13) MONTHS as to Count Two, to run CONCURRENTLY for a TOTAL of **THIRTEEN (13) MONTHS**.

The defendant is remanded to the custody of the United States Marshal.

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be placed on supervised release for a term of TEN (10) YEARS as to Count One and TWENTY-THREE (23) MONTHS as to Count Two, to run CONCURRENTLY for a TOTAL of **TEN (10) YEARS**.

As part of your supervised release, you must comply with the following standard conditions of supervision. These conditions are imposed because they establish the basic expectations for your behavior while on supervision and identify the minimum tools needed by probation officers to keep informed, report to the court about, and bring about improvements in your conduct and condition.

- (1) *You must report to the probation office in the federal judicial district where you are authorized to reside within 72 hours of your release from imprisonment, unless the probation officer instructs you to report to a different probation office or within a different time frame.*
- (2) *After initially reporting to the probation office, you will receive instructions from the court or the probation officer about how and when you must report to the probation officer, and you must report to the probation officer as instructed.*
- (3) *You must not knowingly leave the federal judicial district where you are authorized to reside without first getting permission from the court or the probation officer.*
- (4) *You must answer truthfully the questions asked by your probation officer.*
- (5) *You must live at a place approved by the probation officer. If you plan to change where you live or anything about your living arrangements (such as the people you live with), you must notify the probation officer at least 10 days before the change. If notifying the probation officer in advance is not possible due to unanticipated circumstances, you must notify the probation officer within 72 hours of becoming aware of a change or expected change.*
- (6) *You must allow the probation officer to visit you at any time at your home or elsewhere, and you must permit the probation officer to take any items prohibited by the conditions of your supervision that he or she observes in plain view.*
- (7) *You must work full time (at least 30 hours per week) at a lawful type of employment, unless the probation officer excuses you from doing so. If you do not have full-time employment you must try to find full-time employment, unless the probation officer excuses you from doing so. If you plan to change where you work or anything about your work (such as your position or your job responsibilities), you must notify the probation officer at least 10 days before the change. If notifying the probation officer at least 10 days in advance is not possible due to unanticipated*

Conditions orally pronounced pursuant to the Opinion of USCA 24-10262

Judgment in a Criminal Case for Revocation
Defendant: OSCAR CARTER
Case Number: 4:23-CR-00299-O(1)

Page 3 of 5

- circumstances, you must notify the probation officer within 72 hours of becoming aware of a change or expected change.*
- (8) *You must not communicate or interact with someone you know is engaged in criminal activity. If you know someone has been convicted of a felony, you must not knowingly communicate or interact with that person without first getting the permission of the probation officer.*
 - (9) *If you are arrested or questioned by a law enforcement officer, you must notify the probation officer within 72 hours.*
 - (10) *You must not own, possess, or have access to a firearm, ammunition, destructive device, or dangerous weapon (i.e., anything that was designed, or was modified for, the specific purpose of causing bodily injury or death to another person such as nunchakus or tasers).*
 - (11) *You must not act or make any agreement with a law enforcement agency to act as a confidential human source or informant without first getting the permission of the court.*
 - (12) *If the probation officer determines that you pose a risk to another person (including an organization), the probation officer may require you to notify the person about the risk and you must comply with that instruction. The probation officer may contact the person and confirm that you have notified the person about the risk.*
 - (13) *You must follow the instructions of the probation officer related to the conditions of supervision.*

In addition, the following additional conditions are imposed:

You must not commit another federal, state, or local crime;

You must not unlawfully possess a controlled substance;

You must refrain from any unlawful use of a controlled substance. You must submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as determined by the court.

- The above drug testing condition is suspended, based on the court's determination that you pose a low risk of future substance abuse. (check if applicable)

You must cooperate in the collection of DNA as directed by the probation officer;

You must comply with the requirements of the Sex Offender Registration and Notification Act (34 U.S.C. § 20901, et seq.) as directed by the probation officer, the Bureau of Prisons, or any state sex offender registration agency in the location where you reside, work, are a student, or were convicted of a qualifying offense;

Defendant is permitted to possess or use a computer and is allowed access to the Internet. However, Defendant is not permitted to use a computer, or other electronic communication or data storage devices, including a cell phone, to access child pornography or to communicate with any individual or group for the purpose of promoting sexual relations with children. Defendant shall consent to the installation of any hardware or software to monitor any computer, or other electronic communication or data storage devices used by Defendant to confirm compliance with this condition. Furthermore, Defendant shall consent to periodic unannounced examinations by the probation or pretrial services

Conditions orally pronounced pursuant to the Opinion of USCA 24-10262

Judgment in a Criminal Case for Revocation
Defendant: OSCAR CARTER
Case Number: 4:23-CR-00299-O(1)

Page 4 of 5

officer of any computers, cell phones or other electronic communication or data storage devices that Defendant has access to, to confirm compliance with this condition. Additionally, Defendant shall consent to the seizure and removal of hardware and data storage media for further analysis by the probation or pretrial services officer, based upon reasonable suspicion of a violation of the conditions imposed in this case, or based upon reasonable suspicion of unlawful conduct by Defendant. Failure to submit to the monitoring or search of computers and other electronic communication or data storage devices used by Defendant may be grounds for revocation;

If Defendant's employment requires the use of a computer, Defendant may use a computer in connection with the employment approved by the probation or pretrial services officer, provided Defendant notifies his employer of the nature of the conviction. The probation or pretrial services officer shall confirm compliance with this notification requirement.

Defendant shall provide the Probation Office with accurate information about Defendant's entire computer system (hardware or software) and other electronic communication or data storage devices or media, to include all passwords used and the names of the Internet Service Providers. Defendant also shall abide by the provisions of the Computer Restrictions and Monitoring Program approved by the Court.

With the exception of brief, unanticipated and incidental contacts, to include Defendant's place of employment and/or volunteer activity, Defendant shall not associate with children under the age of 18, without the written consent of their parent or legal guardian who is aware of the nature of Defendant's history, characteristics and conviction, and except in the presence of an adult who is aware of the nature of Defendant's history, characteristics and conviction and has been approved in advance by the probation officer.

Defendant shall not enter into a rental agreement and/or purchase computers, cell phones or electronic communication or data storage devices without the consent of the Probation Office. Furthermore, Defendant shall not make excessive and/or unexplained purchases of items ordinarily related to children under the age of 18, without approval of the Probation Office.

Defendant shall not frequent and/or loiter within 500 feet of places where children congregate on a regular basis, such as, but not limited to, schools; playgrounds; children's toy and/or clothing stores; video arcades; daycare centers; swimming pools; zoos; amusement parks; or other places primarily used or that can reasonably be expected to be used by children under the age of 18, without prior permission by the Probation Officer.

Defendant shall not photograph and/or videotape any children under the age of 18 without the written consent of their parent or legal guardian who is aware of the nature of Defendant's history, characteristics and/or conviction and has been approved by the Probation Office.

Defendant shall participate in a mental health assessment and/or sex offender treatment program, approved by the Probation Office, until such time as Defendant is released from the program by the Probation Office. Defendant shall abide by all program rules, requirements and conditions of the sex offender treatment program, including submission to polygraph testing; said testing shall continue throughout the term of supervision in order to monitor and ensure compliance with the conditions of supervision. The Probation Office is authorized to release Defendant's presentence report to the treatment provider if so requested.

Conditions orally pronounced pursuant to the Opinion of USCA 24-10262

25-10716.170

Judgment in a Criminal Case for Revocation
Defendant: OSCAR CARTER
Case Number: 4:23-CR-00299-O(1)

Defendant shall not access, visit, or interact with any websites, online platforms, or social media pages that promote, advertise, or involve activities related to the exploitation or trafficking of individuals for sex, including but not limited to those that provide content, services, or communications promoting prostitution, sex trafficking, or the solicitation of individuals for such purposes.

Defendant shall refrain from using any internet-based communication tools, including social media, messaging applications, or online ads, that are intended for or connected to the solicitation or exploitation of others in illegal activities related to prostitution or human trafficking.

FINE/RESTITUTION

The Court does not order a fine or costs of incarceration because the defendant does not have the financial resources or future earning capacity to pay a fine or costs of incarceration.

Restitution is not ordered because there is no victim other than society at large.

RETURN

I have executed this judgment as follows:

Defendant delivered on _____ to _____
at _____, with a certified copy of this judgment.

United States Marshal

BY _____
Deputy Marshal