

APPENDIX A
OPINION
OF THE
UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

United States v. Barlow

No. 25-20148

March 17, 2026

[UNPUBLISHED]

United States Court of Appeals
for the Fifth Circuit

No. 25-20148
Summary Calendar

United States Court of Appeals
Fifth Circuit

FILED

March 17, 2026

Lyle W. Cayce
Clerk

UNITED STATES OF AMERICA,

Plaintiff—Appellee,

versus

DOUGLAS LEE BARLOW,

Defendant—Appellant.

Appeal from the United States District Court
for the Southern District of Texas
USDC No. 4:92-CR-177-3

Before KING, HAYNES, and HO, *Circuit Judges.*

PER CURIAM:*

Douglas Lee Barlow, federal prisoner # 60089-079, appeals the denial of his motion for compassionate release, filed pursuant to 18 U.S.C. § 3582(c)(1)(A)(i). We review the denial of a compassionate release motion for abuse of discretion. *United States v. Chambliss*, 948 F.3d 691, 693 (5th Cir. 2020).

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

No. 25-20148

With respect to the district court's determination that a balancing of the 18 U.S.C. § 3553(a) sentencing factors did not warrant relief, Barlow contends that the district court failed to give sufficient weight to his rehabilitation, his nearly four decades of incarceration, his advanced age, and his lack of danger to society. Barlow further contends that the district court violated § 3553(a)(6) by granting compassionate release to a codefendant who had a similar background.

Barlow fails to demonstrate "an error of law or a clearly erroneous assessment of the evidence." *Chambliss*, 948 F.3d at 693 (internal quotation marks and citation omitted). Barlow's disagreement with the district court's weighing of the § 3553(a) sentencing factors "is not a sufficient ground for reversal." *Id.* at 694. Because Barlow has not shown an abuse of discretion in the denial of his motion based on the § 3553(a) sentencing factors, we conclude that we should affirm.

Barlow also argues that the district court erred in not appointing counsel to represent him on his motion for compassionate release. A defendant seeking a reduction in his sentence does not have a constitutional or statutory right to counsel. *See United States v. Whitebird*, 55 F.3d 1007, 1010-11 & n.3 (5th Cir. 1995). The record does not reflect that Barlow requested the appointment of counsel or that appointment would have been in the interest of justice. *United States v. Robinson*, 542 F.3d 1045, 1052 & n.36 (5th Cir. 2008); *Schwander v. Blackburn*, 750 F.2d 494, 502 (5th Cir. 1985). Accordingly, the judgment of the district court is AFFIRMED.

United States Court of Appeals

FIFTH CIRCUIT
OFFICE OF THE CLERK

LYLE W. CAYCE
CLERK

TEL. 504-310-7700
600 S. MAESTRI PLACE,
Suite 115
NEW ORLEANS, LA 70130

March 17, 2026

MEMORANDUM TO COUNSEL OR PARTIES LISTED BELOW

Regarding: Fifth Circuit Statement on Petitions for Rehearing
or Rehearing En Banc

No. 25-20148 USA v. Barlow
USDC No. 4:92-CR-177-3

Enclosed is a copy of the court's decision. The court has entered judgment under Fed. R. App. P. 36. (However, the opinion may yet contain typographical or printing errors which are subject to correction.)

Fed. R. App. P. 39 through 41, and Fed. R. App. P. 39, 40, and 41 govern costs, rehearings, and mandates. **Fed. R. App. P. 40 require you to attach to your petition for panel rehearing or rehearing en banc an unmarked copy of the court's opinion or order.** Please read carefully the Internal Operating Procedures (IOP's) following Fed. R. App. P. 40 for a discussion of when a rehearing may be appropriate, the legal standards applied and sanctions which may be imposed if you make a nonmeritorious petition for rehearing en banc.

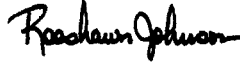
Direct Criminal Appeals. Fed. R. App. P. 41 provides that a motion for a stay of mandate under Fed. R. App. P. 41 will not be granted simply upon request. The petition must set forth good cause for a stay or clearly demonstrate that a substantial question will be presented to the Supreme Court. Otherwise, this court may deny the motion and issue the mandate immediately.

Pro Se Cases. If you were unsuccessful in the district court and/or on appeal, and are considering filing a petition for certiorari in the United States Supreme Court, you do not need to file a motion for stay of mandate under Fed. R. App. P. 41. The issuance of the mandate does not affect the time, or your right, to file with the Supreme Court.

Court Appointed Counsel. Court appointed counsel is responsible for filing petition(s) for rehearing(s) (panel and/or en banc) and writ(s) of certiorari to the U.S. Supreme Court, unless relieved of your obligation by court order. If it is your intention to file a motion to withdraw as counsel, you should notify your client promptly, **and advise them of the time limits for filing for rehearing and certiorari.** Additionally, you **MUST** confirm that this information was given to your client, within the body of your motion to withdraw as counsel.

Sincerely,

LYLE W. CAYCE, Clerk

A handwritten signature in black ink, appearing to read "Roeshawn Johnson", written over a horizontal line.

By: _____
Roeshawn Johnson, Deputy Clerk
504-310-7998

Enclosure(s)

Mr. Douglas Lee Barlow
Ms. Renata Ann Gowie
Ms. Carmen Castillo Mitchell

APPENDIX C
ORDER DENYING PETITION FOR PANEL REHEARING AND
REHEARING EN BANC
OF THE
UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

United States v. Barlow

No. 25-20148

April 14, 2026

United States Court of Appeals
for the Fifth Circuit

No. 25-20148

United States Court of Appeals
Fifth Circuit

FILED

April 14, 2026

Lyle W. Cayce
Clerk

UNITED STATES OF AMERICA,

Plaintiff—Appellee,

versus

DOUGLAS LEE BARLOW,

Defendant—Appellant.

Appeal from the United States District Court
for the Southern District of Texas
USDC No. 4:92-CR-177-3

ON PETITION FOR REHEARING
AND REHEARING EN BANC

Before KING, HAYNES, and HO, *Circuit Judges.*

PER CURIAM:

The petition for panel rehearing is DENIED. Because no member of the panel or judge in regular active service requested that the court be polled on rehearing en banc (FED. R. APP. P. 40 and 5TH CIR. R. 40), the petition for rehearing en banc is DENIED.

United States Court of Appeals

FIFTH CIRCUIT
OFFICE OF THE CLERK

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April 14, 2026

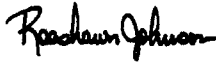
MEMORANDUM TO COUNSEL OR PARTIES LISTED BELOW:

No. 25-20148 USA v. Barlow
 USDC No. 4:92-CR-177-3

Enclosed is an order entered in this case.

Sincerely,

LYLE W. CAYCE, Clerk



By: _____
Roeshawn Johnson, Deputy Clerk
504-310-7998

Mr. Douglas Lee Barlow
Ms. Renata Ann Gowie
Ms. Carmen Castillo Mitchell