No. _____

IN THE

Supreme Court of the United States

CHARLES ROY,
Petitioner,
v.

UNITED STATES OF AMERICA,
Respondent.

On Petition for Writ of Certiorari
to the United States Court of Appeals for the Fifth Circuit

APPENDIX

Pages

A. Opinion of the U.S. Court of Appeals for the Fifth Circuit (July 1, 2026) 1a–2a

United States Court of Appeals for the Fifth Circuit

No. 25-30285
Summary Calendar

United States Court of Appeals
Fifth Circuit
FILED
July 1, 2026
Lyle W. Cayce
Clerk

UNITED STATES OF AMERICA,

Plaintiff—Appellee,

versus

CHARLES ROY,

Defendant—Appellant.

Appeal from the United States District Court
for the Eastern District of Louisiana
USDC No. 2:21-CR-82-1

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

PER CURIAM:[*]

Charles Roy was sentenced to a total of 160 months in prison after pleading guilty to drug and firearm offenses. He appeals, contending the district court erred by counting a prior Louisiana conviction for simple robbery as a crime of violence under U.S.S.G. § 4B1.1(a). He argues that

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

Louisiana simple robbery does not qualify as a crime of violence because it encompasses conduct that is merely reckless or negligent.

Our review is de novo. *See United States v. Enrique-Ascencio*, 857 F.3d 668, 672 (5th Cir. 2017). Not all general intent crimes in Louisiana can be committed with a reckless or negligent mental state. *United States v. Lanaute*, 169 F.4th 641, 644 (5th Cir. 2026), *petition for cert. filed* (U.S. June 10, 2026) (No. 25-7615). And while Roy maintains that Louisiana cases confirm that an unintended use or threatened use of force can support a conviction for simple robbery, the cases he cites fall short. As Roy fails to show a "realistic probability" that Louisiana would apply its simple robbery statute to reckless or negligent acts, we conclude the district court did not err in treating his robbery conviction as a crime of violence under the force clause. *United States v. Castillo-Rivera*, 853 F.3d 218, 222 (5th Cir. 2017) (en banc) (internal quotation marks and citation omitted); *see* U.S.S.G. § 4B1.2(a)(1); *Lanaute*, 169 F.4th at 645-46.

Accordingly, the judgment of the district court is AFFIRMED.