MIGUEL GABINO TRUJILLO,
Petitioner

V.

UNITED STATES OF AMERICA,
Respondent.

APPENDIX

TENTH CIRCUIT
UNPUBLISHED OPINION

FILED
United States Court of Appeals
Tenth Circuit

August 10, 2026

Christopher M. Wolpert
Clerk of Court

UNITED STATES COURT OF APPEALS

FOR THE TENTH CIRCUIT

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

MIGUEL GABINO TRUJILLO, a/k/a Lucio Gabino Trujillo, a/k/a Miguel Angel Gabino, a/k/a Miguel Gabino-Trujillo, a/k/a Miguel Gabino, a/k/a Miguel Gambino, a/k/a Lucio Trujillo, a/k/a Miguel Trujillo,

Defendant - Appellant.

No. 26-5008
(D.C. No. 4:25-CR-00265-SEH-1)
(N.D. Okla.)

ORDER AND JUDGMENT*

Before **TYMKOVICH**, **PHILLIPS**, and **FEDERICO**, Circuit Judges.

Miguel Trujillo pleaded guilty to Unlawful Reentry of a Removed Alien, in violation of 8 U.S.C. § 1326(b)(2). The district court accepted his plea and sentenced him to a below-Guidelines prison term of forty-six months. He now argues his sentence is unreasonable because the district court relied on facts related to his

* After examining the briefs and appellate record, this panel has determined unanimously to honor the parties' request for a decision on the briefs without oral argument. *See* Fed. R. App. P. 34(f); 10th Cir. R. 34.1(G). The case is therefore submitted without oral argument. This order and judgment is not binding precedent, except under the doctrines of law of the case, res judicata, and collateral estoppel. It may be cited, however, for its persuasive value consistent with Fed. R. App. P. 32.1 and 10th Cir. R. 32.1.

criminal history that were disclosed for the first time when the court announced its sentence. Exercising jurisdiction under 28 U.S.C. § 1291, we **AFFIRM**.

I. Background

Tulsa Police Department officers arrested Trujillo in June 2025 for obstructing an officer and unlawful possession of a controlled drug. The officers' post-arrest records search revealed that Trujillo was a previously removed alien who lacked permission to reenter the United States. A grand jury indicted him for unlawful reentry under 8 U.S.C. § 1326, and he pleaded guilty.

Trujillo has a record of unlawful entry and drug crimes. He first entered the country before 1990 and was removed in 2015 after he was convicted for unlawful possession of a controlled substance and obstruction of a police officer in Tulsa County, Oklahoma. Just weeks after his removal, Trujillo was arrested for unlawfully reentering the country. He pleaded guilty and was again deported in August. In May 2021, an Oklahoma Highway Patrol trooper arrested Trujillo for attempting to leave the scene of a traffic stop. A search revealed Trujillo possessed cocaine, and he eventually pleaded guilty to unlawful possession. Two days after his arrest, while released on bond, Trujillo used his cellphone to arrange for the delivery of 493 grams of cocaine. He was arrested in December 2021 on drug conspiracy and trafficking charges and later pleaded guilty to using a communication facility in committing, causing, and facilitating the commission of a drug trafficking felony. In December 2023, a federal court in Oklahoma sentenced Trujillo to time served, and he was removed to Mexico the next week. Most recently, in June 2025, officers

arrested Trujillo after identifying him in the passenger seat of a vehicle. While apprehending him, police discovered two baggies of cocaine on Trujillo's person.

Prior to the sentencing hearing for Trujillo's 2025 unlawful reentry, the United States Probation Office calculated an advisory Sentencing Guidelines range of fifty-seven to seventy-one months. Trujillo moved for a non-Guidelines sentence of thirty months, which the government opposed.

At Trujillo's sentencing hearing, the district court adopted the factual findings in the Presentence Investigation Report (PSR) without objection. It then granted Trujillo's motion in part and sentenced him to a below-Guidelines prison term of forty-six months. In handing down the sentence, the court explained that it had considered Trujillo's arguments for an even lighter sentence but was troubled by the "lack of respect for the law" evident from his "reentries" and "habitual drug trafficking behavior." R., Vol. III at 41. The court also stated that Trujillo was "someone who clearly has a relationship with a [Drug Trafficking Organization] who has been back in this country not only in violation of the law but then violating the drug trafficking laws of this country." R., Vol. III at 41. These considerations made Trujillo's case "a very serious" one. R., Vol. III at 41. The court explained it was choosing a sentence that reflected its "overall consideration of the factors" and communicated that "the laws of this country" would be enforced. R., Vol. III at 41.

After issuing the sentence, the district court solicited Trujillo's input on placement and programming. It then separately asked the government and Trujillo if

they had "anything further." R., Vol. III at 45. Trujillo's attorney responded, "No, Your Honor," and the proceeding concluded. R., Vol. III at 45.

II. Discussion

Trujillo argues his sentence is procedurally unreasonable because it was based on facts that he had no chance to contest. He contends that the record does not support the district court's findings that he had engaged in "*habitual* drug trafficking behavior" and "clearly *has* a relationship with a DTO." R., Vol. III at 41 (emphases added). So, he says, the district court must have relied on some extra-record information, which was never disclosed to him, to partially deny his request for a below-Guidelines sentence. And that would violate the requirements of Federal Rule of Criminal Procedure 32(i)(1).

Trujillo did not raise this objection before the district court but argues the issue is nonetheless preserved. We disagree. Trujillo's claim that he had no opportunity to object is belied by the record. After the district court made the contested statements and issued its sentence, Trujillo's attorney spoke to address programming and placement. And before the court ended the hearing, it asked Trujillo's attorney if he had "[a]nything further." R., Vol. III at 45. He responded, "No, Your Honor." R., Vol. III at 45. Trujillo's failure to raise the issue is therefore not excused for lack of opportunity. *See United States v. Wireman*, 849 F.3d 956, 961–62 (10th Cir. 2017).

Even so, Trujillo asks us to overlook his failure to object because the court's error was one he could not be expected to anticipate. But even assuming the

unforeseeable-error doctrine is still good law, it does not apply here. *See United States v. Martinez-Barragan*, 545 F.3d 894, 899 n.1 (10th Cir. 2008). Trujillo and his attorney acknowledged they had reviewed the PSR before the hearing. That report includes Trujillo's conviction for using a communication facility to facilitate a drug trafficking felony and his multiple convictions for drug possession. So it was entirely foreseeable that factual issues related to those offenses, and Trujillo's possible dealings with drug trafficking organizations, would come up at his sentencing. If Trujillo believed the district court mischaracterized those facts, he could have objected when given the opportunity.

Since Trujillo did not preserve his objection, we review for plain error. *United States v. Lucero*, 130 F.4th 877, 884 (10th Cir. 2025). "We find plain error only when there is: '(1) error, (2) that is plain, (3) which affects substantial rights, and (4) which seriously affects the fairness, integrity, or public reputation of judicial proceedings.'" *Id.* (quoting *United States v. Romero*, 491 F.3d 1173, 1178 (10th Cir. 2007)).

The district court did not err. Trujillo's theory that the district court relied on undisclosed extra-record information presupposes that the district court's factual statements were unsupported by the record. In other words, Trujillo must first show that the statements were clearly erroneous. *See United States v. Maestas*, 642 F.3d 1315, 1319 (10th Cir. 2011). And given Trujillo's pattern of unlawful entries, repeated possession of illegal drugs, and his prior drug trafficking offense, the record has ample support for an inference that he had engaged in "drug trafficking

behavior." R., Vol. III at 45 (emphasis added). While it is true that Trujillo has only one conviction for a drug trafficking crime, "behavior" is an expansive term that embraces more than specific convictions and charges. Whether his behavior qualifies as "habitual" is a closer question, but the district court's characterization is not totally "without factual support in the record." *Maestas*, 642 F.3d at 1319. Similarly, Trujillo's past offenses support a plausible inference that he has some sort of relationship with a drug trafficking organization. Because the district court's findings were not clearly erroneous, we have no reason to suspect it went outside the record and violated Trujillo's right to notice.

But even assuming error, Trujillo's challenge fails because he has not proven an effect on his substantial rights. "An error does not affect substantial rights unless it is prejudicial, meaning there is 'a reasonable probability that, but for the error claimed, the result of the proceeding would have been different.'" *Lucero*, 130 F.4th at 886 (quoting *United States v. Gonzalez-Huerta*, 403 F.3d 727, 733 (10th Cir. 2005)). Trujillo bears the burden to establish prejudice to substantial rights because he failed to raise the issue below. *Id.* He may do so by "demonstrating a reasonable probability that had the district court applied the [proper] sentencing framework, he would have received a lesser sentence.'" *Id.* (alteration in original) (quoting *United States v. Trujillo-Terrazas*, 405 F.3d 814, 819 (10th Cir. 2005)).

According to Trujillo, "[t]he undisclosed, unproved facts were pivotal to the district court's rejection of [his] request for a variance to 30 months." Aplt. Br. 14. We think that overstates the case. Assuming the district court should not have

characterized Trujillo's record as showing "habitual drug trafficking behavior" and suggesting "a relationship with a DTO," R., Vol. III at 41, it nevertheless would have considered the case "very serious" without those findings. The district court said that it based its sentence on its consideration of the "Section 3553(a) factors" including "the nature of the offense, the Defendant's criminal history and his personal characteristics." R., Vol. III at 40. It highlighted Trujillo's "serious criminal history," "history of substance abuse," and "history of habitual reentry." R., Vol. III at 40. And it considered "the Defendant's arguments regarding what the appropriate range is . . . as part of [its] overall consideration of the factors." R., Vol. III at 41. In judging the case to be very serious, it noted that Trujillo "has been back in this country not only in violation of the law but then violating the drug trafficking laws of this country." R., Vol. III at 41. So while the district court determined some downward variance was warranted, there is not a reasonable probability that it would have reduced Trujillo's sentence even further if not for its allegedly erroneous statements.

In sum, Trujillo's challenge to his sentence fails on either the error or substantial-rights prong of plain-error review.

III. Conclusion

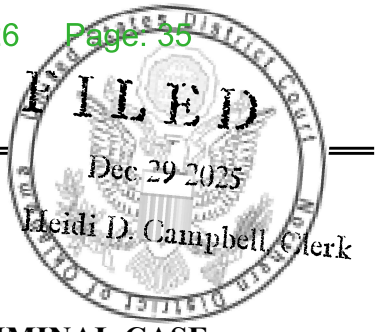
For the foregoing reasons, we affirm the district court's judgment.

Entered for the Court

Timothy M. Tymkovich
Circuit Judge

DISTRICT COURT
JUDGMENT AND SENTENCE

AO 245B (Rev. 11/25) Judgment in a Criminal Case
Sheet 1



UNITED STATES DISTRICT COURT

Northern District of Oklahoma

UNITED STATES OF AMERICA
v.

MIGUEL GABINO TRUJILLO
a/k/a "Lucio Gabino Trujillo"
a/k/a "Miguel Angel Gabino"
a/k/a "Miguel Gabino-Trujillo"
a/k/a "Miguel Gabino"
a/k/a "Miguel Gambino"
a/k/a "Lucio Trujillo"
a/k/a "Miguel Trujillo"

JUDGMENT IN A CRIMINAL CASE

Case Number: 4:25-CR-00265–SEH-001

USM Number: 85461-379

Thomas Sullivan Reese
Defendant's Attorney

THE DEFENDANT:

☒ pleaded guilty to count One of the Indictment

☐ pleaded nolo contendere to count(s)
which was accepted by the Court.

☐ was found guilty on count(s)
after a plea of not guilty.

The defendant is adjudicated guilty of these offenses:

Title & Section	Nature of Offense	Offense Ended	Count
8 U.S.C. § 1326(b)(2)	Unlawful Reentry of a Removed Alien	6/29/25	1

The defendant is sentenced as provided in this Judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

☐ The defendant has been found not guilty on count(s) _____

☐ Count(s) _____ ☐ is ☐ are dismissed on the motion of the United States.

It is ordered that the defendant must 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 must notify the Court and United States Attorney of material changes in economic circumstances.

December 29, 2025
Date of Imposition of Judgment

Sara Hill
Signature of Judge

Sara E. Hill, United States District Judge
Name and Title of Judge

December 29, 2025
Date

AO 245B (Rev. 11/25) Judgment in Criminal Case
Sheet 2 — Imprisonment

DEFENDANT: Miguel Gabino Trujillo
CASE NUMBER: 4:25-CR-00265-SEH-001

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a total term of: Forty-six months.

☒ The Court makes the following recommendations to the Bureau of Prisons:
The Court recommends that the defendant be placed at a facility as close to Tulsa, Oklahoma, as possible. The Court further recommends the defendant be placed in a facility that will allow him the opportunity to participate in the Bureau of Prisons' Residential Drug Abuse Program or the most comprehensive substance abuse treatment available.

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

☐ The defendant shall surrender to the United States Marshal for this district:

☐ at _____ ☐ a.m. ☐ p.m. on _____ .

☐ as notified by the United States Marshal.

☐ The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons:

☐ before 2 p.m. on _____ .

☐ as notified by the United States Marshal.

☐ as notified by the Probation or Pretrial Services Office.

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 UNITED STATES MARSHAL

AO 245B (Rev. 11/25) Judgment in Criminal Case
Sheet 3 — Supervised Release

DEFENDANT: Miguel Gabino Trujillo
CASE NUMBER: 4:25-CR-00265-SEH-001

SUPERVISED RELEASE

Upon release from imprisonment, you will be on supervised release for a term of: Three years.

MANDATORY CONDITIONS

1. You must not commit another federal, state or local crime.
2. You must not unlawfully possess a controlled substance.
3. 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)*
4. ☐ You must make restitution in accordance with 18 U.S.C §§ 3663 and 3663A or any other statute authorizing a sentence of restitution. *(check if applicable)*
5. ☒ You must cooperate in the collection of DNA as directed by the probation officer. *(check if applicable)*
6. ☐ 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. *(check if applicable)*
7. ☐ You must participate in an approved program for domestic violence. *(check if applicable)*

You must comply with the standard conditions that have been adopted by this court as well as with any other conditions on the attached page.

AO 245B (Rev. 11/25) Judgment in Criminal Case
Sheet 4 — Supervised Release

DEFENDANT: Miguel Gabino Trujillo
CASE NUMBER: 4:25-CR-00265-SEH-001

STANDARD CONDITIONS OF SUPERVISION

As part of your supervision, 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 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 to 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 the 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 at least 10 days 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 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.
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, after obtaining Court approval, notify the person about the risk or 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.

AO 245B (Rev. 11/25) Judgment in Criminal Case
Sheet 5 — Supervised Release

DEFENDANT: Miguel Gabino Trujillo
CASE NUMBER: 4:25-CR-00265-SEH-001

SPECIAL CONDITIONS OF SUPERVISION

1. As a condition of supervised release, upon completion of his term of imprisonment, the defendant is to be surrendered to a duly-authorized immigration official for deportation proceedings in accordance with the established procedures provided by the Immigration and Nationality Act, 8 U.S.C. §§ 1101-1524. It is a further condition of supervised release, if ordered deported, the defendant shall remain outside the United States until termination of the term of supervised release. If the defendant is not deported or should the defendant serve any portion of supervised release within the United States for any reason, the defendant shall report to the U.S. Probation Office in the district of his release or re-entry to begin his term of supervised release.

2. The defendant shall submit his person, property, residence, office, vehicle, cellular telephone, computer, or any other electronic communication device, to a search conducted by the United States Probation Officer at a reasonable time and in a reasonable manner, based upon reasonable suspicion of contraband or evidence of a violation of a condition of release. Failure to submit to a search may be grounds for revocation. The defendant shall warn any other residents that the premises may be subject to searches pursuant to this condition.

3. The defendant shall successfully participate in a program of testing and treatment, to include inpatient treatment, for drug and alcohol abuse, at a treatment facility and on a schedule determined by the probation officer. The defendant shall abide by the policies and procedures of the testing and treatment program to include directions that the defendant undergo urinalysis or other types of drug testing consisting of no more than eight tests per month if contemplated as part of the testing and treatment program. The defendant shall waive any right of confidentiality in any records for drug and alcohol treatment to allow the probation officer to review the course of testing and treatment and progress with the treatment provider.

U.S. Probation Officer Use Only

A U.S Probation officer has instructed me on the conditions specified by the court and has provided me with a written copy of this Judgment containing these conditions. For further information regarding these conditions, see *Overview of Probation and Supervised Release Conditions,* available at: www.uscourts.gov.

Defendant's Signature _____ Date _____

AO 245B (Rev. 11/25) Judgment in Criminal Case
Sheet 6 — Criminal Monetary Penalties

DEFENDANT: Miguel Gabino Trujillo
CASE NUMBER: 4:25-CR-00265-SEH-001

CRIMINAL MONETARY PENALTIES

The defendant must pay the total criminal monetary penalties under the Schedule of Payments.

	Assessment	Restitution	Fine	AVAA Assessment*	JVTA Assessment**
TOTALS	$100	N/A	N/A	N/A	N/A

☐ The determination of restitution is deferred until
An *Amended Judgment in a Criminal Case (AO 245C)* will be entered after such determination.

☐ The defendant must make restitution (including community restitution) to the following payees in the amount listed below.

If the defendant makes a partial payment, each payee shall receive an approximately proportioned payment, unless specified otherwise in the priority order or percentage payment column below. However, pursuant to 18 U.S.C. § 3664(i), all nonfederal victims must be paid before the United States is paid.

Name of Payee	Total Loss***	Restitution Ordered	Priority or Percentage

TOTALS **$** _____ **$** _____

☐ Restitution amount ordered pursuant to Plea Agreement $ _____

☐ The defendant must pay interest on any fine or restitution of more than $2,500, unless the restitution or fine is paid in full before the fifteenth day after the date of the Judgment, pursuant to 18 U.S.C. § 3612(f). All of the payment options on Sheet 6 may be subject to penalties for delinquency and default, pursuant to 18 U.S.C. § 3612(g).

☐ The Court determined that the defendant does not have the ability to pay interest and it is ordered that:

☐ the interest requirement is waived for the ☐ fine ☐ restitution.

☐ the interest requirement for the ☐ fine ☐ restitution is modified as follows:

* Amy, Vicky, and Andy Child Pornography Victim Assistance Act of 2018, Pub. L. No. 115-299.

** Justice for Victims of Trafficking Act of 2015, Pub. L. No. 114-22.

*** Findings for the total amount of losses are required under Chapters 109A, 110, 110A, and 113A of Title 18 for offenses committed on or after September 13, 1994, but before April 23, 1996.

AO 245B ((Rev. 11/25) Judgment in Criminal Case
Sheet 7 — Schedule of Payments

DEFENDANT: Miguel Gabino Trujillo
CASE NUMBER: 4:25-CR-00265-SEH-001

SCHEDULE OF PAYMENTS

Having assessed the defendant's ability to pay, payment of the total criminal monetary penalties is due as follows:

A ☒ Lump sum payment of $ 100 due immediately, balance due

☐ not later than _____ , or

☐ in accordance with ☐ C, ☐ D, ☐ E, or ☐ F below; or

B ☐ Payment to begin immediately (may be combined with ☐ C, ☐ D, or ☐ F below); or

C ☐ Payment in equal _____ *(e.g., weekly, monthly, quarterly)* installments of $ _____ over a period of _____ *(e.g., months or years)*, to commence _____ *(e.g., 30 or 60 days)* after the date of this Judgment; or

D ☐ Payment in equal _____ *(e.g., weekly, monthly, quarterly)* installments of $ _____ over a period of _____ *(e.g., months or years)*, to commence _____ *(e.g., 30 or 60 days)* after release from imprisonment to a term of supervision; or

E ☐ Payment during the term of supervised release will commence within _____ *(e.g., 30 or 90 days)* after release from imprisonment. The court will set the payment plan based on an assessment of the defendant's ability to pay at that time; or

F ☐ Special instructions regarding the payment of criminal monetary penalties:

Any monetary payment is due in full immediately, but payable on a schedule to be determined pursuant to the policy provision of the Federal Bureau of Prisons' Inmate Financial Responsibility Program if the defendant voluntarily participates in this program. If a monetary balance remains, payment is to commence no later than 60 days following release from imprisonment to a term of supervised release in equal monthly payments of $50 or 10% of net income (take home pay), whichever is greater, over the duration of the term of supervised release and thereafter as prescribed by law for as long as some debt remains. Notwithstanding establishment of a payment schedule, nothing shall prohibit the United States from executing or levying upon property of the defendant discovered before or after the date of this Judgment.

Unless the Court has expressly ordered otherwise, if this Judgment imposes imprisonment, payment of criminal monetary penalties is due during imprisonment. All criminal monetary penalties, except those payments made through the Federal Bureau of Prisons' Inmate Financial Responsibility Program, are made to the Clerk of the Court.

The defendant shall receive credit for all payments previously made toward any criminal monetary penalties imposed.

☐ Joint and Several:
Defendant and Co-Defendant Names and Case Numbers *(including defendant number)*, Total Amount, Joint and Several Amount, and corresponding payee, if appropriate.

☐ The defendant shall pay the cost of prosecution.

☐ The defendant shall pay the following court cost(s):

☐ The defendant shall forfeit the defendant's interest in the following property to the United States:

Payments shall be applied in the following order: (1) assessment, (2) restitution principal, (3) restitution interest, (4) AVAA assessment, (5) fine principal, (6) fine interest, (7) community restitution, (8) JVTA assessment, (9) penalties, and (10) costs, including cost of prosecution and court costs.

AO 245B ((Rev. 11/25) Judgment in Criminal Case
Sheet 8 — Denial of Federal Benefits

DEFENDANT: Miguel Gabino Trujillo
CASE NUMBER: 4:25-CR-00265-SEH-001

DENIAL OF FEDERAL BENEFITS

(For Offenses Committed On or After November 18, 1988)

FOR DRUG TRAFFICKERS PURSUANT TO 21 U.S.C. § 862(a)

IT IS ORDERED that the defendant shall be:

☐ ineligible for all federal benefits for a period of _____ .

☐ ineligible for the following federal benefits for a period of _____ .

OR

☐ Having determined that this is the defendant's third or subsequent conviction for distribution of controlled substances, IT IS ORDERED that the defendant shall be permanently ineligible for all federal benefits.

FOR DRUG POSSESSORS PURSUANT TO 21 U.S.C. § 862(b)

IT IS ORDERED that the defendant shall:

☐ be ineligible for all federal benefits for a period of _____ .

☐ be ineligible for the following federal benefits for a period of _____ .

(specify benefit(s))

☐ successfully complete a drug testing and treatment program.

☐ perform community service, as specified in the probation and supervised release portion of this judgment.

☐ Having determined that this is the defendant's second or subsequent conviction for possession of a controlled substance, IT IS FURTHER ORDERED that the defendant shall complete any drug treatment program and community service specified in this judgment as a requirement for the reinstatement of eligibility for federal benefits.

Pursuant to 21 U.S.C. § 862(d), this denial of federal benefits does not include any retirement, welfare, Social Security, health, disability, Veterans benefit, public housing, or other similar benefit, or any other benefit for which payments or services are required for eligibility. The clerk of court is responsible for sending a copy of this page and the first page of this judgment to:

U.S. Department of Justice, Office of Justice Programs, Washington, DC 20531