

June 22, 2005

Charles R. Fulbruge III
Clerk

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 04-11367
Conference Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

JERALD PAUL EDWARDS,

Defendant-Appellant.

Appeal from the United States District Court
for the Northern District of Texas
USDC No. 3:04-CR-40-ALL-H

Before WIENER, BENAVIDES, and DENNIS, Circuit Judges.

PER CURIAM:*

Appealing the Judgment in a Criminal Case, Jerald Paul Edwards presents arguments that he concedes are foreclosed by United States v. Daugherty, 264 F.3d 513, 518 (5th Cir. 2001), which rejected a Commerce Clause challenge to the felon-in-possession-of-a-firearm statute, 18 U.S.C. § 922(g), and United States v. Dancy, 861 F.2d 77, 81 (5th Cir. 1985), which held that the Government need not prove that the defendant knew that the firearm was in or affecting interstate commerce. The

* Pursuant to 5TH CIR. R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR. R. 47.5.4.

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Government's motion for summary affirmance is GRANTED, and the judgment of the district court is AFFIRMED.