

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 01-10031
Conference Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

DAVID ALLEN WILLIAMS,

Defendant-Appellant.

Appeal from the United States District Court
for the Northern District of Texas
USDC No. 4:00-CR-112-1-Y

October 26, 2001

Before WIENER, BENAVIDES, and DENNIS, Circuit Judges.

PER CURIAM:*

David Allen Williams appeals his guilty-plea conviction for being a felon in possession of a firearm in violation of 18 U.S.C. § 922(g). Williams contends that 18 U.S.C. § 922(g) is unconstitutional as applied in his case because it lacks a sufficient nexus to interstate commerce; therefore, the factual basis supporting his guilty plea was inadequate. Williams concedes that this circuit has held 18 U.S.C. § 922(g) constitutional, but argues that our prior decisions may no longer be good law in light of the Supreme Court's recent opinions in

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

Jones v. United States, 529 U.S. 848 (2000), and United States v. Morrison, 529 U.S. 598 (2000).

"This court has repeatedly emphasized that the constitutionality of § 922(g)(1) is not open to question." See United States v. De Leon, 170 F.3d 494, 499 (5th Cir.) (citation omitted), cert. denied, 528 U.S. 863 (1999). The cases cited by Williams do not affect this determination and, therefore, cannot serve to support a challenge to a conviction under 18 U.S.C. § 922(g). See United States v. Daugherty, 264 F.3d 513, 518 (5th Cir. 2001).

AFFIRMED.