

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 02-20293
Conference Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

RODERICK EARL BONNER,

Defendant-Appellant.

Appeal from the United States District Court
for the Southern District of Texas
USDC No. H-01-CR-424-1

December 12, 2002

Before JOLLY, JONES, and CLEMENT, Circuit Judges.

PER CURIAM:*

Roderick Earl Bonner appeals his conviction of being a felon in possession of a firearm. He argues, relying on United States v. Lopez, 514 U.S. 549 (1995), that 18 U.S.C. § 922(g)(1) is unconstitutional on its face because it does not require that there be a "substantial" effect on interstate commerce. He also contends that, if a substantial effect on interstate commerce is

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

required for a 18 U.S.C. § 922(g)(1) conviction, his indictment and the evidence supporting his conviction were insufficient.

He acknowledges that his arguments are foreclosed by this court's decisions in United States v. Rawls, 85 F.3d 240 (5th Cir. 1996); United States v. Daugherty, 264 F.3d 513 (5th Cir. 2001), cert. denied, 534 U.S. 1150 (2002); see also United States v. Cavazos, 288 F.3d 706, 712 (5th Cir.), cert. denied, 123 S. Ct. 253 (2002), but seeks to preserve the argument for further review.

As noted by Bonner, his arguments are foreclosed by the cases cited above. His conviction is AFFIRMED.