

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 98-51025
Conference Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

ROGERIO GOMEZ,

Defendant-Appellant.

- - - - -
Appeal from the United States District Court
for the Western District of Texas
USDC No. DR-98-CR-63-1
- - - - -

October 19, 1999

Before JONES, SMITH, and STEWART, Circuit Judges.

PER CURIAM:*

Rogelio Gomez appeals his guilty-plea conviction for possession of a firearm by a convicted felon in violation of 18 U.S.C. § 922(g)(1). Gomez contends that § 922(g)(1) is unconstitutional in view of the Supreme Court's decision in United States v. Lopez, 514 U.S. 549 (1995). Gomez acknowledges that this court rejected this argument in United States v. Rawls, 85 F.3d 240, 242 (5th Cir. 1996), but states that he is raising

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

this argument to preserve it for further review. In Rawls, this court held that the reasons the Supreme Court gave in Lopez for holding 18 U.S.C. § 922(q) unconstitutional do not apply to § 922(g). Rawls, 85 F.3d at 242. Because the sole argument raised on appeal is foreclosed by this court's precedent, the district court's judgment is AFFIRMED.