

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 00-20884
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

SHERMAN MATTOX,

Defendant-Appellant.

Appeal from the United States District Court
for the Southern District of Texas
USDC No. H-00-CR-319-1

June 28, 2001

Before DAVIS, JONES, and DeMOSS, Circuit Judges:

PER CURIAM:*

Sherman Mattox (Mattox) appeals his guilty-plea conviction for one count of being a felon in possession of a firearm. He contends that there was an insufficient factual basis to support his plea and that this court should reconsider its jurisprudence regarding the constitutionality of 18 U.S.C. § 922(g) in light of 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.), cert.

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

denied, 528 U.S. 863 (1999). The cases cited by Mattox do not affect this determination. Consequently, the judgment of the district court is **AFFIRMED**.