

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 01-40095  
Summary Calendar

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UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

STANLY ADAM LEGARD,

Defendant-Appellant.

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Appeal from the United States District Court  
for the Southern District of Texas  
USDC No. C-00-CR-317-1  
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August 8, 2001

Before REAVLEY, HIGGINBOTHAM and WIENER, Circuit Judges.

PER CURIAM:\*

Stanly Adam Legard appeals his guilty-plea conviction for being a felon in possession of a firearm in violation of 18 U.S.C. § 922(g). Legard contends that § 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. Legard concedes that this circuit has held 18 U.S.C. § 922(g) constitutional, but argues that we should reconsider our jurisprudence regarding the constitutionality of the statute in light of Jones v. United

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

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 Legard do not affect this determination and, therefore, cannot serve to support a challenge to a conviction under § 922(g).

AFFIRMED.