

June 25, 2003

Charles R. Fulbruge III  
Clerk

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 02-21218  
Conference Calendar

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UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

EDDIE GREEN,

Defendant-Appellant.

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Appeal from the United States District Court  
for the Southern District of Texas  
USDC No. H-02-CR-73-1  
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Before DeMOSS, DENNIS, and PRADO, Circuit Judges.

PER CURIAM:\*

Eddie Green ("Green") appeals his conviction for being a felon in possession of a firearm in violation of 18 U.S.C. § 922(g)(1) and § 924(a)(2). Green contends that 18 U.S.C. § 922(g)(1) is unconstitutional. Green acknowledges that his appellate arguments are foreclosed by circuit precedent. Nevertheless, Green seeks to preserve the issues for Supreme Court review.

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

This court has repeatedly emphasized that the constitutionality of 18 U.S.C. 922(g) is not open to question. See United States v. Daugherty, 264 F.3d 513, 518 (5th Cir. 2001), cert. denied, 534 U.S. 1150 (2002). Because the factual basis indicated that the firearm Green possessed was not manufactured in Texas, Green's conviction was supported by the evidence. See United States v. Rawls, 85 F.3d 240, 242 (5th Cir. 1996).

AFFIRMED.