

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

United States Court of Appeals
Fifth Circuit

FILED

August 18, 2009

Charles R. Fulbruge III
Clerk

No. 08-20677

Conference Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee

v.

ISSAC JOAQUIN BANDA,

Defendant-Appellant

Appeal from the United States District Court
for the Southern District of Texas
USDC No. 4:07-CR-191-ALL

Before HIGGINBOTHAM, DAVIS, and CLEMENT, Circuit Judges.

PER CURIAM:*

Appealing the judgment in a criminal case, Issac Joaquin Banda presents arguments that he concedes are foreclosed by *United States v. Rawls*, 85 F.3d 240, 242-44 (5th Cir. 1996), which rejected a Commerce Clause challenge to the felon-in-possession-of-a-firearm statute, 18 U.S.C. § 922(g). *See United States v. Daugherty*, 264 F.3d 513, 518 (5th Cir. 2001). The appellant's motion for summary disposition is GRANTED, the Government's unopposed motion for summary affirmance is GRANTED, the Government's alternative motion for an

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

extension of time to file a letter brief is DENIED, and the judgment of the district court is AFFIRMED.