

United States Court of Appeals  
for the Fifth Circuit

United States Court of Appeals  
Fifth Circuit

**FILED**

August 25, 2022

Lyle W. Cayce  
Clerk

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No. 21-10609  
CONSOLIDATED WITH  
No. 21-10864  
Summary Calendar

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UNITED STATES OF AMERICA,

*Plaintiff—Appellee,*

*versus*

JEFFREY RENE LOPEZ,

*Defendant—Appellant.*

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Appeals from the United States District Court  
for the Northern District of Texas  
USDC No. 2:20-CR-115-1

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Before JONES, HAYNES, and OLDHAM, *Circuit Judges.*

PER CURIAM:\*

Jeffrey Rene Lopez was indicted for distribution and possession with intent to distribute methamphetamine (count 1), possession with intent to distribute 500 grams or more of methamphetamine (count 2), being a

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\* Pursuant to 5TH CIRCUIT RULE 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIRCUIT RULE 47.5.4.

No. 21-10609  
c/w No. 21-10864

convicted felon in possession of firearms (count 3), and possession of firearms in furtherance of a drug trafficking crime (count 4). The district court sentenced Lopez to a total of 425 months of imprisonment and a total of five years of supervised release, and the court ordered him to forfeit multiple firearms. In this consolidated appeal, Lopez argues that the evidence was insufficient to support his conviction of being a convicted felon in possession of a firearm because the Government was not required to prove that he knew that his status as a convicted felon made it illegal for him to possess a firearm. He concedes that this issue is foreclosed under *United States v. Trevino*, 989 F.3d 402 (5th Cir. 2021), but he asserts that he is raising this argument to preserve the issue for further review. The Government has filed an opposed motion for summary affirmance, or, in the alternative, for an extension of time in which to file a brief.

As Lopez concedes, this issue is foreclosed. *See Trevino*, 989 F.3d at 403. Therefore, the Government's motion for summary affirmance is GRANTED, the alternative motion for an extension of time is DENIED, and the district court's judgment is AFFIRMED. *See Groendyke Transp., Inc. v. Davis*, 406 F.2d 1158, 1162 (5th Cir. 1969). Lopez's pro se motion to withdraw or strike his appellate brief is DENIED.