

# United States Court of Appeals for the Fifth Circuit

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No. 24-10400  
Summary Calendar

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United States Court of Appeals  
Fifth Circuit

**FILED**

October 30, 2024

Lyle W. Cayce  
Clerk

UNITED STATES OF AMERICA,

*Plaintiff—Appellee,*

*versus*

ARTIS WOMACK,

*Defendant—Appellant.*

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Appeal from the United States District Court  
for the Northern District of Texas  
USDC No. 4:23-CR-303-1

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Before JOLLY, GRAVES, and OLDHAM, *Circuit Judges.*

PER CURIAM:\*

Artis Womack was sentenced to 90 months of imprisonment after pleading guilty to possession of a firearm after a felony conviction, in violation of 18 U.S.C. §§ 922(g)(1) and 924(a)(8). For the first time on appeal, he contends that § 922(g)(1) is unconstitutional because it violates the Second Amendment and the Commerce Clause. However, he concedes

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\* This opinion is not designated for publication. *See* 5TH CIR. R. 47.5.

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that these arguments are foreclosed by *United States v. Jones*, 88 F.4th 571, 573-74 (5th Cir. 2023), *cert. denied*, 144 S. Ct. 1081 (2024), and *United States v. Alcantar*, 733 F.3d 143, 145-46 (5th Cir. 2013), and merely raises them to preserve the arguments for further review. The Government has moved without opposition for summary affirmance, or, alternatively, for an extension of time to file a brief.

Because summary affirmance is appropriate, *see Groendyke Transp., Inc. v. Davis*, 406 F.2d 1158, 1162 (5th Cir. 1969), the Government's motion for summary affirmance is GRANTED, the Government's alternative motion for an extension of time to file a brief is DENIED, and the district court's judgment is AFFIRMED.