

United States Court of Appeals for the Fifth Circuit

No. 24-30622
Summary Calendar

United States Court of Appeals
Fifth Circuit

FILED

May 23, 2025

Lyle W. Cayce
Clerk

UNITED STATES OF AMERICA,

Plaintiff—Appellee,

versus

JAKARI ALEXANDER LEE,

Defendant—Appellant.

Appeal from the United States District Court
for the Western District of Louisiana
USDC No. 5:22-CR-195-1

Before JOLLY, JONES, and WILLETT, *Circuit Judges*.

PER CURIAM:*

Jakari Alexander Lee appeals his conviction under 18 U.S.C. § 922(g)(1). He argues the statute of conviction violates the Second Amendment on its face in light of *New York State Rifle & Pistol Ass’n, Inc. v. Bruen*, 597 U.S. 1 (2022). The Government previously moved to suspend

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

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briefing and has now filed an unopposed motion for summary affirmance or, alternatively, for an extension of time in which to file a brief.

The Government is correct that Lee's facial Second Amendment challenge is foreclosed. *See United States v. Diaz*, 116 F.4th 458, 471-72 (5th Cir. 2024), *petition for cert. filed* (U.S. Feb. 18, 2025) (24-6625). 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 motions to suspend briefing and for an extension of time to file a brief are DENIED as moot, and the district court's judgment is AFFIRMED.