

United States Court of Appeals for the Fifth Circuit

No. 24-50204
Summary Calendar

United States Court of Appeals
Fifth Circuit

FILED

February 24, 2025

Lyle W. Cayce
Clerk

UNITED STATES OF AMERICA,

Plaintiff—Appellee,

versus

TERRANCE EARL JONES, JR.,

Defendant—Appellant.

Appeal from the United States District Court
for the Western District of Texas
USDC No. 7:23-CR-154-1

Before SMITH, STEWART, and DUNCAN, *Circuit Judges.*

PER CURIAM:*

Terrance Earl Jones, Jr., pleaded guilty to possessing a firearm as a convicted felon, in violation of 18 U.S.C. § 922(g)(1). He was sentenced to 51 months of imprisonment, to be followed by three years of supervised release. On appeal, he argues that § 922(g)(1) violates the Second Amendment on its face and as applied to him in light of *New York State Rifle*

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

No. 24-50204

& Pistol Ass'n, Inc. v. Bruen, 597 U.S. 1 (2022). He also contends that the statute exceeds Congress's power under the Commerce Clause.

Jones correctly concedes that his facial Second Amendment challenge is foreclosed. *See United States v. Contreras*, 125 F.4th 725, 729 (5th Cir. 2025). Also, because he was serving a term of probation when he violated § 922(g)(1), the statute is constitutional as applied to him. *See id.* at 732-33; *United States v. Giglio*, 126 F.4th 1039, 1043-46 (5th Cir. 2025). Finally, as Jones correctly concedes, his Commerce Clause challenge is foreclosed. *See United States v. Diaz*, 116 F.4th 458, 462 (5th Cir. 2024).

AFFIRMED.