

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 96-20206  
Conference Calendar

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UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

RALPH EDWARD ESTES,

Defendant-Appellant.

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Appeal from the United States District Court  
for the Southern District of Texas  
USDC No. CA-H-96-334  
- - - - -

April 16, 1997

Before REAVLEY, DAVIS, and BARKSDALE, Circuit Judges.

PER CURIAM:\*

Ralph Edward Estes, #25012-079, appeals from the district court's dismissal of his motion to vacate, set aside, or correct his sentence pursuant to 28 U.S.C. § 2255. He argues that Congress exceeded its authority to regulate commerce by enacting 18 U.S.C. § 922(g)(1) and that § 922(g)(1) is unconstitutional as applied to the facts of his case. Estes' claims are without

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\* Pursuant to Local Rule 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in Local Rule 47.5.4.

merit. We have held that § 922(g)(1) is valid under the Commerce Clause. United States v. Rawls, 85 f.3d 240, 242 (5th Cir. 1996). Section 922(g)(1) is not unconstitutional as applied to the instant case. See id. at 242-43.

AFFIRMED.