

UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 96-31314

MICHAEL K. COOK, ET AL.,

Plaintiffs-Appellants,

VERSUS

JANET RENO, Attorney General of the United States, ET AL.,

Defendants-Appellees.

Appeal from the United States District Court
For the Western District of Louisiana
(94-CV-980)

November 20, 1997

Before JONES, EMILIO M. GARZA, and PARKER, Circuit Judges.

Per Curiam:*

As anti-abortion protesters, the appellants make a facial challenge to the Freedom of Access to Clinic Entrances Act of 1994 ("Access Act"), 18 U.S.C. § 248, claiming that the Access Act violates the First Amendment to the United States Constitution. Additionally, the appellants claim that the Access Act violates the

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 R. 47.5, the Court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

Tenth Amendment to the United States Constitution because neither the Commerce Clause nor the Fourteenth Amendment provide a sufficient basis for Congressional authority.

We are bound by prior precedent of this Circuit upholding the constitutionality of the Access Act. *United States v. Bird*, ___ F.3d ___ (Sept. 24, 1997). Accordingly, the decision of the district court is

AFFIRMED.

EDITH H. JONES, Circuit Judge, concurs as to the result only: