

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

---

No. 97-10459  
Conference Calendar

---

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

INEZ VALLES,

Defendant-Appellant.

- - - - -  
Appeal from the United States District Court  
for the Northern District of Texas  
USDC No. 4:96-CR-165-E-1  
- - - - -

October 21, 1997

Before POLITZ, Chief Judge, and WIENER and DENNIS, Circuit Judges.

PER CURIAM:\*

Inez Valles appeals from his guilty-plea conviction for being a felon in possession of a firearm, in violation of 18 U.S.C. § 922(g)(1). He argues that his conviction is invalid because § 922(g)(1) is an unconstitutional exercise of congressional authority under the Commerce Clause. Valles's argument is foreclosed by this court's decision in United States v. Rawls, 85 F.3d 240, 242 (5th Cir. 1996). Additionally, this court has recently rejected his assertion that the indictment was

---

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

defective because it did not charge a "substantial effect" on interstate commerce. See United States v. Gresham, 118 F.3d 258, 264-65 (5th Cir. 1997). Valles's conviction is AFFIRMED.