

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 99-51095  
Conference Calendar

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UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

JESSE JOE GARZA,

Defendant-Appellant.

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Appeal from the United States District Court  
for the Western District of Texas  
USDC No. SA-99-CR-294-FB  
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October 17, 2000

Before SMITH, BARKSDALE, and BENAVIDES, Circuit Judges.

PER CURIAM:\*

Jesse Joe Garza appeals his conviction for being a felon in possession of a firearm. For the first time on appeal, Garza argues that the district court lacked subject-matter jurisdiction since 18 U.S.C. § 922(g) does not apply to the facts of his case. According to Garza, his possession of shotgun shells did not affect interstate commerce.

The "in or affecting commerce" element of § 922(g)(1) requires only a minimal nexus between the shotgun shells and interstate commerce. United States v. Gresham, 118 F.3d 258, 265

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

(5th Cir. 1997). This element is satisfied because the ammunition possessed by Garza previously traveled in interstate commerce. United States v. Rawls, 85 F.3d 240, 242 (5th Cir. 1996). Recent decisions by the Supreme Court do not alter this court's jurisprudence regarding § 922(g)'s minimal interstate-nexus requirement. The judgment of the district court is AFFIRMED.

AFFIRMED.