

United States Court of Appeals  
for the Fifth Circuit

United States Court of Appeals  
Fifth Circuit

**FILED**

February 28, 2025

Lyle W. Cayce  
Clerk

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No. 23-10386  
Summary Calendar

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UNITED STATES OF AMERICA,

*Plaintiff—Appellee,*

*versus*

JERRELL ANTHONY BAZILE,

*Defendant—Appellant.*

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Appeal from the United States District Court  
for the Northern District of Texas  
USDC No. 3:21-CR-127-1

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Before JOLLY, JONES, and WILLETT, *Circuit Judges*.

PER CURIAM:\*

Jerrell Anthony Bazile asserts that the statute under which he was convicted, 18 U.S.C. § 922(g)(1), is facially unconstitutional under the Second Amendment in view of *New York State Rifle & Pistol Ass’n, Inc. v. Bruen*, 597 U.S. 1 (2022). The Government has filed an unopposed motion

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

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for summary affirmance, or alternatively, for an extension of time in which to file a brief.

The Government is correct that Bazile's challenge is foreclosed. *See United States v. Diaz*, 116 F.4th 458, 471-72 (5th Cir. 2024). Therefore, summary affirmance is appropriate. *See Groendyke Transp., Inc. v. Davis*, 406 F.2d 1158, 1162 (5th Cir. 1969). The motion for summary affirmance is GRANTED, the alternative motion for an extension of time is DENIED, and the judgment of the district court is AFFIRMED.