

# United States Court of Appeals for the Fifth Circuit

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No. 23-11119  
Summary Calendar

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United States Court of Appeals  
Fifth Circuit

**FILED**

March 4, 2025

Lyle W. Cayce  
Clerk

UNITED STATES OF AMERICA,

*Plaintiff—Appellee,*

*versus*

STEVEN HOCKIN,

*Defendant—Appellant.*

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Appeal from the United States District Court  
for the Northern District of Texas  
USDC No. 7:23-CR-8-1

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Before SMITH, STEWART, and DUNCAN, *Circuit Judges*.

PER CURIAM:\*

Steven Hockin appeals his 18 U.S.C. § 922(g)(1) conviction, asserting that the statute of his conviction is facially unconstitutional under the Second Amendment pursuant to the holding in *New York State Rifle & Pistol Ass’n, Inc. v. Bruen*, 597 U.S. 1 (2022). The Government has filed an opposed

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

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

The Government is correct that Hockin's challenge is foreclosed, *see United States v. Diaz*, 116 F.4th 458 (5th Cir. 2024), *petition for cert. filed* (U.S. Feb. 18, 2025) (No. 24-6625), but, because the issues are contested, summary affirmance is not appropriate, *see Groendyke Transp., Inc. v. Davis*, 406 F.2d 1158, 1162 (5th Cir. 1969). However, *Diaz* is clearly dispositive, and, therefore, we affirm the district court's judgment without further briefing. *See United States v. Bailey*, 924 F.3d 1289, 1289-90 (5th Cir. 2019).

The motion for summary affirmance is DENIED, the alternative motion for an extension of time is DENIED, and the judgment of the district court is AFFIRMED.