

United States Court of Appeals for the Fifth Circuit

No. 24-20378
Summary Calendar

United States Court of Appeals
Fifth Circuit

FILED

May 2, 2025

Lyle W. Cayce
Clerk

UNITED STATES OF AMERICA,

Plaintiff—Appellee,

versus

GEBER SOTO,

Defendant—Appellant.

Appeal from the United States District Court
for the Southern District of Texas
USDC No. 4:23-CR-191-1

Before KING, SOUTHWICK, and ENGELHARDT, *Circuit Judges.*

PER CURIAM:*

Geber Soto pleaded guilty to engaging in the business of dealing firearms without a license in violation of 18 U.S.C. § 922(a)(1)(A). He was sentenced to 12 months and one day of imprisonment and one year of supervised release. For the first time on appeal, Soto argues that

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

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§ 922(a)(1)(A) is unconstitutional in light of *New York State Rifle & Pistol Ass’n, Inc. v. Bruen*, 597 U.S. 1 (2022), and its progeny.

We review unpreserved challenges for plain error. *United States v. Jones*, 88 F.4th 571, 572 (5th Cir. 2023), *cert. denied*, 144 S. Ct. 1081 (2024); *see Puckett v. United States*, 556 U.S. 129, 135 (2009). Soto has not shown that § 922(a)(1)(A) is clearly or obviously unconstitutional. *See United States v. Sanches*, 86 F.4th 680, 687 (5th Cir. 2023) (rejecting plain error challenge to § 922(d)(1)).

AFFIRMED.