

United States Court of Appeals
for the Fifth Circuit

United States Court of Appeals
Fifth Circuit

FILED

October 31, 2024

Lyle W. Cayce
Clerk

No. 24-40384
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff—Appellee,

versus

JAMAAL B. SHERARD FARLEY,

Defendant—Appellant.

Appeal from the United States District Court
for the Southern District of Texas
USDC No. 5:22-CR-1009-1

Before WIENER, HO, and RAMIREZ, *Circuit Judges.*

PER CURIAM:*

Jamaal B. Sherard Farley pleaded guilty to possession of a firearm and ammunition by a person having been convicted of a crime punishable by imprisonment for a term exceeding one year and was sentenced to six months of imprisonment and one year of supervised release. For the first time on appeal, he argues that 18 U.S.C. § 922(g)(1) is unconstitutional because it

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

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violates the Second Amendment and the Commerce Clause. The Government has moved without opposition for summary affirmance, or, alternatively, for an extension of time to file a brief.

As Farley correctly concedes, his arguments are foreclosed. *See United States v. Jones*, 88 F.4th 571, 573-74 (5th Cir. 2023), *cert. denied*, 144 S. Ct. 1081 (2024); *United States v. Perryman*, 965 F.3d 424, 426 (5th Cir. 2020). Therefore, summary affirmance is appropriate. *See Groendyke Transp., Inc. v. Davis*, 406 F.2d 1158, 1162 (5th Cir. 1969). The Government's motion for summary affirmance is GRANTED, its alternative motion for an extension of time to file a brief is DENIED, and the district court's judgment is AFFIRMED.