

United States Court of Appeals for the Fifth Circuit

No. 24-10903
Summary Calendar

United States Court of Appeals
Fifth Circuit

FILED

May 30, 2025

Lyle W. Cayce
Clerk

UNITED STATES OF AMERICA,

Plaintiff—Appellee,

versus

GARY CHARLES MOORE,

Defendant—Appellant.

Appeal from the United States District Court
for the Northern District of Texas
USDC No. 5:24-CR-21-1

Before JOLLY, GRAVES, and OLDHAM, *Circuit Judges*.

PER CURIAM:*

Gary Charles Moore pleaded guilty to possession of a firearm after a felony conviction in violation of 18 U.S.C. § 922(g)(1). For the first time on appeal, he argues that § 922(g)(1) violates the Second Amendment as applied to him. The Government has filed an unopposed motion for summary affirmance or, alternatively, for an extension of time in which to file a brief.

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

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The Government is correct that the sole issue on appeal is foreclosed on plain error review. *See United States v. Cisneros*, 130 F.4th 472, 477 (5th Cir. 2025). Because summary affirmance is appropriate here, *see Groendyke Transp., Inc. v. Davis*, 406 F.2d 1158, 1162 (5th Cir. 1969), the Government's motion for summary affirmance is GRANTED, the alternative motion for an extension of time to file a brief is DENIED, and the district court's judgment is AFFIRMED.