

# United States Court of Appeals for the Fifth Circuit

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No. 24-60648  
Summary Calendar

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United States Court of Appeals  
Fifth Circuit

**FILED**

August 28, 2025

Lyle W. Cayce  
Clerk

UNITED STATES OF AMERICA,

*Plaintiff—Appellee,*

*versus*

JEREMY JEROME McLEOD,

*Defendant—Appellant.*

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Appeal from the United States District Court  
for the Southern District of Mississippi  
USDC No. 1:23-CR-125-1

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

PER CURIAM:\*

Jeremy Jerome McLeod pleaded guilty to possession of a firearm after a felony conviction in violation of 18 U.S.C. § 922(g)(1). His prior felony convictions included Mississippi convictions for possession of a controlled substance and robbery. On appeal, McLeod argues that § 922(g)(1) violates the Second Amendment, both facially and as applied to him, and that the

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

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statute exceeds Congress's authority under the Commerce Clause. The Government has filed an opposed motion for summary affirmance.

As McLeod concedes, his facial and as-applied constitutional challenges to § 922(g)(1) are foreclosed. *See United States v. Schnur*, 132 F.4th 863, 870-71 (5th Cir. 2025); *United States v. Diaz*, 116 F.4th 458, 462 (5th Cir. 2024), *cert. denied*, 2025 WL 1727419 (U.S. June 23, 2025) (No. 24-6625). Furthermore, as McLeod also concedes, his Commerce Clause challenge is foreclosed. *See United States v. Perryman*, 965 F.3d 424, 426 (5th Cir. 2020); *United States v. Alcantar*, 733 F.3d 143, 145-46 (5th Cir. 2013).

Because McLeod opposes the Government's motion for summary affirmance, we decline to grant it. *See United States v. Houston*, 625 F.3d 871, 873 n.2 (5th Cir. 2010); *Groendyke Transp., Inc. v. Davis*, 406 F.2d 1158, 1162 (5th Cir. 1969). Nevertheless, as his arguments are foreclosed, we affirm the district court's judgment without further briefing. *See United States v. Bailey*, 924 F.3d 1289, 1290 (5th Cir. 2019).

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