

United States Court of Appeals
for the Fifth Circuit

United States Court of Appeals
Fifth Circuit

FILED

November 21, 2025

Lyle W. Cayce
Clerk

No. 25-10745
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff—Appellee,

versus

JARIOUS DWAYNE FLETCHER,

Defendant—Appellant.

Appeal from the United States District Court
for the Northern District of Texas
USDC No. 4:25-CR-13-1

Before DAVIS, WILSON, and DOUGLAS, *Circuit Judges.*

PER CURIAM:*

Jarious Dwayne Fletcher pleaded guilty to possessing a firearm as a felon in violation of 18 U.S.C. § 922(g)(1). On appeal, he argues that § 922(g)(1) is facially unconstitutional under *New York State Rifle & Pistol Ass’n, Inc. v. Bruen*, 597 U.S. 1 (2022). Fletcher concedes that this issue is foreclosed by this court’s precedent, and he states he is raising the issue to

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

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preserve it for further review. The Government moves for summary affirmance or, in the alternative, for an extension of time to file an appellate brief.

We rejected a facial challenge to § 922(g)(1) under *Bruen* in *United States v. Diaz*, 116 F.4th 458, 471-72 (5th Cir. 2024), *cert. denied*, 145 S. Ct. 2822 (2025). Accordingly, the Government's unopposed motion for summary affirmance is GRANTED. See *Groendyke Transp., Inc. v. Davis*, 406 F.2d 1158, 1162 (5th Cir. 1969). The district court's judgment is AFFIRMED, and the Government's alternative motion for an extension of time to file a brief is DENIED.