

United States Court of Appeals
for the Fifth Circuit

United States Court of Appeals
Fifth Circuit

FILED

September 9, 2026

Lyle W. Cayce
Clerk

No. 25-11157
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff—Appellee,

versus

LATOYA CALHOUN,

Defendant—Appellant.

Appeal from the United States District Court
for the Northern District of Texas
USDC No. 4:25-CR-148-1

Before JONES, HO, and WILSON, *Circuit Judges*.

PER CURIAM:*

Latoya Calhoun was convicted of possession of a firearm after a felony conviction, in violation of 18 U.S.C. § 922(g)(1). On appeal, she argues for the first time that § 922(g)(1) violates the Second Amendment as applied to her. The Government has moved for summary affirmance or, alternatively, an extension of time in which to file a brief. *See Groendyke Transp., Inc. v. Davis*, 406 F.2d 1158, 1162 (5th Cir. 1969) (noting that summary disposition

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

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is warranted when “one of the parties is clearly right as a matter of law so that there can be no substantial question as to the outcome of the case”). We decline to grant summary affirmance but conclude that further briefing is unnecessary to resolve this appeal.

Our review of Calhoun’s claim is for plain error. *See United States v. Jones*, 88 F.4th 571, 572 (5th Cir. 2023). Because, at a minimum, she has not demonstrated that any error was clear or obvious, Calhoun fails to show plain error. *See id.* at 574; *United States v. Cisneros*, 130 F.4th 472, 477 (5th Cir. 2025). Accordingly, the Government’s motion for summary affirmance and its alternative motion for an extension of time are DENIED, and the judgment of the district court is AFFIRMED.