

United States Court of Appeals
for the Fifth Circuit

No. 25-50604
Summary Calendar

United States Court of Appeals
Fifth Circuit

FILED

March 6, 2026

Lyle W. Cayce
Clerk

UNITED STATES OF AMERICA,

Plaintiff—Appellee,

versus

MARK CASAVANT,

Defendant—Appellant.

Appeal from the United States District Court
for the Western District of Texas
USDC No. 7:24-CR-170-1

Before KING, HAYNES, and HO, *Circuit Judges.*

PER CURIAM:*

Mark Casavant appeals his conviction for possession of a firearm after a felony conviction, in violation of 18 U.S.C. § 922(g)(1). He argues that § 922(g)(1) violates the Second Amendment on its face and as applied to him in light of *New York State Rifle & Pistol Ass’n, Inc. v. Bruen*, 597 U.S. 1 (2022).

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

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The Government has filed an opposed motion for summary affirmance or, in the alternative, for an extension of time to file an appellate brief.

The Government is correct that Casavant's arguments are foreclosed. *See United States v. Diaz*, 116 F.4th 458, 471-72 (5th Cir. 2024), *cert. denied*, 145 S. Ct. 2822 (2025); *United States v. Kimble*, 142 F.4th 308, 312 (5th Cir. 2025), *cert. denied*, 2026 WL 135675 (U.S. Jan. 20, 2026) (No. 25-5747). Because *Diaz* and *Kimble* are clearly dispositive, we affirm the district court's judgment without further briefing. *See United States v. Bailey*, 924 F.3d 1289, 1290 (5th Cir. 2019).

In light of the foregoing, the motion for summary affirmance is DENIED, the alternative motion for an extension of time is DENIED AS MOOT, and the judgment of the district court is AFFIRMED.