

United States Court of Appeals for the Fifth Circuit

No. 25-60100
Summary Calendar

United States Court of Appeals
Fifth Circuit
FILED
September 29, 2025

Lyle W. Cayce
Clerk

UNITED STATES OF AMERICA,

Plaintiff—Appellee,

versus

BRAD O’NEAL LEE,

Defendant—Appellant.

Appeal from the United States District Court
for the Southern District of Mississippi
USDC No. 3:23-CR-76-1

Before SMITH, HIGGINSON, and WILSON, *Circuit Judges*.

PER CURIAM:*

Brad O’Neal Lee pleaded guilty to possession of a firearm after a felony conviction in violation of 18 U.S.C. § 922(g)(1). On appeal, he argues that § 922(g)(1) violates the Second Amendment, is unconstitutionally vague, violates the equal protection component of the Fifth Amendment’s Due Process Clause, and exceeds Congress’s authority under the Commerce

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

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Clause. The Government has moved for summary affirmance on the grounds that Lee's Second Amendment challenges are foreclosed, and his remaining claims are barred by the appeal waiver in his plea agreement. Mr. Lee responded to the Government's motion, acknowledging that all his claims are foreclosed, and that summary affirmance is appropriate.

Accordingly, the Government's motion for summary affirmance is GRANTED, and the judgment of the district court is AFFIRMED.