

# United States Court of Appeals for the Fifth Circuit

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No. 24-20378  
Summary Calendar

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United States Court of Appeals  
Fifth Circuit

**FILED**

May 2, 2025

Lyle W. Cayce  
Clerk

UNITED STATES OF AMERICA,

*Plaintiff—Appellee,*

*versus*

GEBER SOTO,

*Defendant—Appellant.*

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Appeal from the United States District Court  
for the Southern District of Texas  
USDC No. 4:23-CR-191-1

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Before KING, SOUTHWICK, and ENGELHARDT, *Circuit Judges.*

PER CURIAM:\*

Geber Soto pleaded guilty to engaging in the business of dealing firearms without a license in violation of 18 U.S.C. § 922(a)(1)(A). He was sentenced to 12 months and one day of imprisonment and one year of supervised release. For the first time on appeal, Soto argues that

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

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§ 922(a)(1)(A) is unconstitutional in light of *New York State Rifle & Pistol Ass’n, Inc. v. Bruen*, 597 U.S. 1 (2022), and its progeny.

We review unpreserved challenges for plain error. *United States v. Jones*, 88 F.4th 571, 572 (5th Cir. 2023), *cert. denied*, 144 S. Ct. 1081 (2024); *see Puckett v. United States*, 556 U.S. 129, 135 (2009). Soto has not shown that § 922(a)(1)(A) is clearly or obviously unconstitutional. *See United States v. Sanches*, 86 F.4th 680, 687 (5th Cir. 2023) (rejecting plain error challenge to § 922(d)(1)).

AFFIRMED.