

United States Court of Appeals for the Fifth Circuit

No. 23-20504
Summary Calendar

United States Court of Appeals
Fifth Circuit

FILED

May 5, 2025

Lyle W. Cayce
Clerk

UNITED STATES OF AMERICA,

Plaintiff—Appellee,

versus

CAMERON EDWARDS,

Defendant—Appellant.

Appeal from the United States District Court
for the Southern District of Texas
USDC No. 4:22-CR-95-1

Before SMITH, STEWART, and DUNCAN, *Circuit Judges*.

PER CURIAM:*

Cameron Edwards pleaded guilty of possession of a firearm after a felony conviction. He appeals his conviction and sentence, positing for the first time that 18 U.S.C. § 922(g)(1) does the following: (1) violates the Second Amendment facially and as applied to him; (2) violates his equal-protection rights under the Fifth Amendment; and (3) exceeds Congress's powers under the Commerce Clause. He renews his challenge that the district court

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

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erred in applying a four-level enhancement under U.S.S.G. § 2K2.1(b)(6)(B) for possessing a firearm in connection with another felony offense.

Edwards's facial challenge to § 922(g)(1) is foreclosed by *United States v. Diaz*, 116 F.4th 458, 471–72 (5th Cir. 2024), *petition for cert. filed* (U.S. Feb. 18, 2025) (No. 24-6625). Regarding Edwards's unpreserved as-applied challenge, he is unable to show clear or obvious error. *See United States v. Jones*, 88 F.4th 571, 573–74 (5th Cir. 2023), *cert. denied*, 144 S. Ct. 1081 (2024); *United States v. Schnur*, 132 F.4th 863, 867–71 (5th Cir. 2025); *Diaz*, 116 F.4th at 466–72.

We rejected an equal-protection challenge to § 922(g)(1) in *United States v. Darrington*, 351 F.3d 632 (2003), *abrogated on other grounds by Diaz*. Because neither the Supreme Court nor this court sitting en banc has overruled *Darrington*, the purported error is not clear or obvious. *See Burge v. Par. of St. Tammany*, 187 F.3d 452, 466 (5th Cir. 1999); *Jones*, 88 F.4th at 573.

Edwards's theory that § 922(g)(1) is unconstitutional because it exceeds Congress's power under the Commerce Clause is foreclosed by *United States v. Alcantar*, 733 F.3d 143 (5th Cir. 2013).

Reviewing Edwards's preserved argument regarding the application of the four-level enhancement under § 2K2.1(b)(6)(B) for clear error, the district court did not err in finding that Edwards possessed the firearm in connection with drug-trafficking activity. *See United States v. Bass*, 996 F.3d 729, 742 (5th Cir. 2021).

AFFIRMED.