

United States Court of Appeals
For The Eighth Circuit
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July 21, 2025

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RE: 24-2648 United States v. Christopher Wuchter

Dear Counsel:

The court has issued an opinion in this case. Judgment has been entered in accordance with the opinion.

Please review [Federal Rules of Appellate Procedure](#) and the [Eighth Circuit Rules](#) on post-submission procedure to ensure that any contemplated filing is timely and in compliance with the rules. Note particularly that petitions for rehearing and petitions for rehearing en banc must be received in the clerk's office within 14 days of the date of the entry of judgment. Counsel-filed petitions must be filed electronically in CM/ECF. Paper copies are not required. Except as provided by Rule 25(a)(2)(iii) of the Federal Rules of Appellate Procedure, no grace period for mailing is allowed. Any petition for rehearing or petition for rehearing en banc which is not received within the 14-day period for filing permitted by FRAP 40 may be denied as untimely.

Susan E. Bindler
Clerk of Court

HAG

Enclosure(s)

cc: Clerk, U.S. District Court, Northern Iowa
Ashley Corkery
Christopher Wuchter

District Court/Agency Case Number(s): 6:23-cr-02024-CJW-1

United States Court of Appeals
For the Eighth Circuit

No. 24-2648

United States of America,

Plaintiff - Appellee,

v.

Christopher Wuchter,

Defendant - Appellant.

Appeal from United States District Court
for the Northern District of Iowa - Western

Submitted: May 16, 2025
Filed: July 21, 2025
[Unpublished]

Before COLLOTON, Chief Judge, SMITH and SHEPHERD, Circuit Judges.

PER CURIAM.

Christopher Wuchter entered a conditional guilty plea to unlawful possession of a firearm as an unlawful user of a controlled substance. *See* 18 U.S.C. § 922(g)(3). He reserved the right to appeal an order of the district court* denying his motion to dismiss the indictment.

After a grand jury charged Wuchter with a violation of § 922(g)(3), he moved to dismiss the indictment on the ground that the statute is unconstitutional on its face under the Second Amendment. The district court denied the motion, and Wuchter entered a conditional guilty plea. On appeal, Wuchter argues that § 922(g)(3) is unconstitutional on its face, and that the district court should have dismissed the indictment. Wuchter's argument is foreclosed by circuit precedent. *United States v. Seay*, 620 F.3d 919, 925 (8th Cir. 2010); *see also United States v. Veasley*, 98 F.4th 906, 908 (8th Cir.), *cert. denied*, 145 S. Ct. 304 (2024). The Supreme Court's decision in *United States v. Rahimi*, 602 U.S. 680 (2024), did not call into question our precedent. *United States v. Smith*, No. 23-3570, 2025 WL 25946, at *1 (8th Cir. Jan. 3, 2025) (per curiam) (unpublished); *see United States v. Baxter*, 127 F.4th 1087, 1089 n.1 (8th Cir. 2025); *Clark v. United States*, 124 F.4th 1109, 1109 (8th Cir. 2025), *petition for cert. filed* (U.S. May 13, 2025) (No. 24-7188).

The judgment of the district court is affirmed.

*The Honorable C.J. Williams, Chief Judge, United States District Court for the Northern District of Iowa.