

No. _____

IN THE SUPREME COURT OF THE UNITED STATES

CHAMNAP IN,

Petitioner,

v.

UNITED STATES OF AMERICA,

Respondent.

ON PETITION FOR A WRIT OF CERTIORARI
TO THE UNITED STATES COURT OF APPEALS FOR THE FIFTH CIRCUIT

APPENDIX

/s/ Adam Nicholson

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Appendix A Opinion of Fifth Circuit, CA No. 25-11211, *United States v. Chamnap In*, 2026 WL 2020985 (5th Cir. July 13, 2026) (unpublished).

Appendix B Judgment and Sentence of the United States District Court for the Northern District of Texas, entered March 11, 2024.
United States v. Chamnap In, Dist. Court 4:25-CR-128.

APPENDIX A

United States Court of Appeals for the Fifth Circuit

No. 25-11211
Summary Calendar

United States Court of Appeals
Fifth Circuit

FILED

July 13, 2026

Lyle W. Cayce
Clerk

UNITED STATES OF AMERICA,

Plaintiff—Appellee,

versus

CHAMNAP IN,

Defendant—Appellant.

Appeal from the United States District Court
for the Northern District of Texas
USDC No. 4:25-CR-128-1

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

PER CURIAM:*

Chamnap In appeals his 18 U.S.C. § 922(g)(1) conviction for possessing a firearm after a felony conviction. He argues for the first time on appeal that § 922(g)(1) facially violates the Second Amendment and exceeds Congress's Commerce Clause authority if the commerce element is interpreted to be satisfied by past interstate travel of the firearm, noting that

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

No. 25-11211

the arguments are foreclosed. The Government has filed an unopposed motion for summary affirmance or, in the alternative, for an extension of time to file a brief.

We have held that § 922(g)(1) does not violate the Second Amendment on its face. *See United States v. Diaz*, 116 F.4th 458, 471-72 (5th Cir. 2024), *cert. denied*, 145 S. Ct. 2822 (2025). Appellant's arguments based on the Commerce Clause are also foreclosed. *See United States v. Perryman*, 965 F.3d 424, 426 (5th Cir. 2020).

Because the parties correctly conclude that these issues are foreclosed, the Government's motion for summary affirmance is GRANTED. *See Groendyke Transp., Inc. v. Davis*, 406 F.2d 1158, 1162 (5th Cir. 1969). The Government's alternative motion for an extension of time to file its appellate brief is DENIED as moot, and the judgment of the district court is AFFIRMED.

APPENDIX B

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
Fort Worth Division

UNITED STATES OF AMERICA

JUDGMENT IN A CRIMINAL CASE

v.

Case Number: 4:25-CR-128-Y(1)

Allyson Monte, assistant U.S. attorney

CHAMNAP IN

Rachel M. Taft, attorney for the defendant

On June 18, 2025, the defendant, Chamnap In, entered a plea of guilty to count one of the one-count indictment. Accordingly, the defendant is adjudged guilty of such count, which involves the following offense:

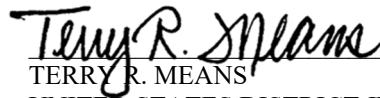
<u>TITLE & SECTION</u>	<u>NATURE OF OFFENSE</u>	<u>OFFENSE CONCLUDED</u>	<u>COUNT</u>
18 U.S.C. §§ 922(g)(1) and 924(a)(8)	Possession of a Firearm by a Prohibited Person	December 25, 2024	1

The defendant is sentenced as provided in pages two through three of this judgment. The sentence is imposed under Title 18, United States Code § 3553(a), taking the guidelines issued by the United States Sentencing Commission under Title 28, United States Code § 994(a)(1), as advisory only.

The defendant shall pay immediately a special assessment of \$100.00 for count one of the one-count indictment.

The defendant shall notify the United States attorney for this district within thirty days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid.

Sentence imposed October 28, 2025.


TERRY R. MEANS
UNITED STATES DISTRICT JUDGE

Signed October 30, 2025.

IMPRISONMENT

The defendant, Chamnap In, is hereby committed to the custody of the Federal Bureau of Prisons to be imprisoned for a term of 96 months on count one of the one-count indictment. This sentence shall run concurrently with any future sentence that may be imposed in case nos. 1854627 and 1853430 in the 213th Judicial District Court, Tarrant County, Texas.

The Court recommends that the defendant be incarcerated at either FCI-El Reno, El Reno, Oklahoma; FCI-Terminal Island, San Pedro, California; or FCI-Texarkana, Texarkana, Texas, if possible.

The defendant is remanded to the custody of the United States marshal.

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be placed on supervised release for a term of 3 years on count one of the one-count indictment.

The defendant, while on supervised release, shall comply with the standard conditions recommended by the U. S. Sentencing Commission at §5D1.3(c) of the United States Sentencing Commission Guidelines Manual, and shall:

not commit another federal, state, or local crime;

not possess illegal controlled substances;

not possess a firearm, destructive device, or other dangerous weapon;

cooperate in the collection of DNA as directed by the probation officer, as authorized by the Justice for All Act of 2004;

report in person to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Federal Bureau of Prisons;

refrain from any unlawful use of a controlled substance. The defendant must submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as determined by the Court;

abstain from the use of alcohol and all other intoxicants during the term of supervision;

participate in outpatient mental-health treatment services as directed by the probation officer until successfully discharged, which services may include prescribed medications by a licensed physician, with the defendant contributing to the costs of services rendered (copayment) at a rate of at least \$25 per month; and

participate in an outpatient program approved by the probation officer for treatment of narcotic or drug or alcohol dependency that will include testing for the detection of substance use, abstaining from the use of alcohol and all other intoxicants during and after completion of treatment, contributing to the costs of services rendered (copayment) at the rate of at least \$25 per month.

FINE/RESTITUTION

The Court does not order a fine or costs of incarceration because the defendant does not have the financial resources or future earning capacity to pay a fine or costs of incarceration.

Restitution is not ordered because there is no victim other than society at large.

FORFEITURE

Under 18 U.S.C. § 924(d) and 28 U.S.C. § 2461(c), Defendant's interest in the following property is condemned and forfeited to the United States: a FN, model FN15, 5.56x45mm caliber rifle, bearing serial no. FNG013062 and any ammunition seized with the firearm; and a Heckler and Kock, model VP9, 9x19mm caliber pistol, 224-276249, and any ammunition seized with the firearm.

RETURN

I have executed this judgment as follows:

Defendant delivered on _____ to _____
at _____, with a certified copy of this judgment.

United States marshal

BY _____
deputy marshal