

[DO NOT PUBLISH]

IN THE UNITED STATES COURT OF APPEALS
FOR THE ELEVENTH CIRCUIT

No. 16-16338
Non-Argument Calendar

D.C. Docket Nos. 1:16-cv-22666-CMA,
1:10-cr-20277-CMA-1

MAURICE DANIELS,

Petitioner-Appellant,

versus

UNITED STATES OF AMERICA,

Respondent-Appellee.

Appeal from the United States District Court
for the Southern District of Florida

(October 27, 2017)

Before TJOFLAT, WILLIAM PRYOR and NEWSOM, Circuit Judges.

PER CURIAM:

Maurice Daniels appeals the denial of his motion to vacate. 28 U.S.C.
§ 2255. We issued a certificate of appealability to address whether Daniels is

entitled to relief from his firearm convictions on the ground that *Johnson v. United States*, 135 S. Ct. 2551 (2015), invalidated the “risk of force” clause in 18 U.S.C. § 924(c)(3)(B). We affirm the denial of Daniels’s motion.

Daniels’s argument is foreclosed by our recent decision in *Ovalles v. United States*, 861 F.3d 1257 (11th Cir. 2017). In *Ovalles*, we held “that *Johnson*’s void-for-vagueness ruling does not apply to or invalidate the ‘risk-of-force’ clause in § 924(c)(3)(B).” *Id.* at 1265. Because section 924(c)(3)(B) is not unconstitutionally vague, Daniels is not entitled to relief from his convictions.

We **AFFIRM** the denial of Daniels’s motion to vacate.