

**IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT**

United States Court of Appeals
Fifth Circuit

FILED

June 22, 2010

Lyle W. Cayce
Clerk

No. 09-51022

Conference Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee

v.

OLEGARIO LEOS-AGUILAR, also known as Jose Enrique Reyes,

Defendant-Appellant

Appeal from the United States District Court
for the Western District of Texas
USDC No. 1:09-CR-282-1

Before JOLLY, STEWART, and OWEN, Circuit Judges.

PER CURIAM:*

Appealing the judgment in a criminal case, Olegario Leos-Aguilar presents arguments that he concedes are foreclosed. *See United States v. Daugherty*, 264 F.3d 513, 518 (5th Cir. 2001) (rejecting Commerce Clause-based challenge to 18 U.S.C. § 922(g)(1)); *United States v. De Leon*, 170 F.3d 494, 499 (5th Cir. 1999) (same); *United States v. Rawls*, 85 F.3d 240, 242 (5th Cir. 1996) (same). The Government's motion for summary affirmance is GRANTED, and the judgment of the district court is AFFIRMED.

* Pursuant to 5TH CIR. R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR. R. 47.5.4.