

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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United States Court of Appeals  
Fifth Circuit

**FILED**

December 8, 2010

No. 10-50019  
c/w No. 10-50024  
Conference Calendar

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Lyle W. Cayce  
Clerk

UNITED STATES OF AMERICA,

Plaintiff-Appellee

v.

EDWARD LEE KOCH,

Defendant-Appellant

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Appeals from the United States District Court  
for the Western District of Texas  
USDC No. 3:08-CR-3294-1  
USDC No. 3:06-CR-237-1

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Before KING, BENAVIDES, and PRADO, Circuit Judges.

PER CURIAM:<sup>\*</sup>

Edward Lee Koch appeals from his conviction for failure to register as a sex offender under the Sex Offender Registration and Notification Act (SORNA), 42 U.S.C. § 16913, and from the resulting revocation of his supervised release on his November 2006 conviction for making a material false statement. His

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<sup>\*</sup> 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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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.

argument that § 16913 violates the Commerce Clause has been squarely rejected by this court. See *United States v. Whaley*, 577 F.3d 254, 258-61 (5th Cir. 2009).

AFFIRMED.