

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

United States Court of Appeals
Fifth Circuit

FILED

December 8, 2010

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

Lyle W. Cayce
Clerk

UNITED STATES OF AMERICA,

Plaintiff-Appellee

v.

EDWARD LEE KOCH,

Defendant-Appellant

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

Before KING, BENAVIDES, and PRADO, Circuit Judges.

PER CURIAM:*

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

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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