

FILED

United States Court of Appeals
Tenth Circuit

UNITED STATES COURT OF APPEALS

FOR THE TENTH CIRCUIT

September 3, 2025

Christopher M. Wolpert
Clerk of Court

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

MICHAEL LEE SMITH,

Defendant - Appellant.

No. 25-8010
(D.C. No. 2:24-CR-00146-SWS-1)
(D. Wyo.)

ORDER AND JUDGMENT*

Before **BACHARACH, MORITZ**, and **ROSSMAN**, Circuit Judges.

When individuals are convicted of felonies, federal law prohibits the possession of firearms. 18 U.S.C. § 922(g)(1). Mr. Michael Lee Smith was convicted under this law. Challenging this conviction, he claims that the law violates the Second Amendment because his prior convictions didn't involve violence.

* The parties do not request oral argument, and it would not help us decide the appeal. So we have decided the appeal based on the record and the parties' briefs. *See* Fed. R. App. P. 34(a)(2)(C); 10th Cir. R. 34.1(G).

Our order and judgment is not binding precedent except under the doctrines of law of the case, res judicata, and collateral estoppel. But the order and judgment may be cited for its persuasive value if otherwise appropriate. *See* Fed. R. App. P. 32.1(a); 10th Cir. R. 32.1(A).

We have rejected identical claims in *Vincent v. Garland*, 80 F.4th 1197, 1202 (10th Cir. 2023), and *Vincent v. Bondi*, 127 F.4th 1263, 1266 (10th Cir. 2025). We are bound by these precedents. *United States v. Salazar*, 987 F.3d 1248, 1254 (10th Cir. 2021). Following these precedents, we reject Mr. Smith’s constitutional challenge and affirm his conviction.

Entered for the Court

Robert E. Bacharach
Circuit Judge