

United States Court of Appeals
for the Fifth Circuit

United States Court of Appeals
Fifth Circuit

FILED

October 10, 2025

Lyle W. Cayce
Clerk

No. 24-40437

UNITED STATES OF AMERICA,

Plaintiff—Appellee,

versus

DERRICK HAHN,

Defendant—Appellant.

Appeal from the United States District Court
for the Southern District of Texas
USDC No. 2:23-CR-240-1

Before SMITH, DENNIS, and RICHMAN, *Circuit Judges*.

PER CURIAM:*

Derrick Hahn pleaded guilty to being a felon in possession of a firearm. *See* 18 U.S.C. § 922(g)(1). On appeal, he asserts that (1) § 922(g)(1) facially violates the Second Amendment; (2) § 922(g)(1) as applied to him violates the Second Amendment; and (3) § 922(g)(1) as applied to him violates the Commerce Clause. Hahn concedes that all three challenges are foreclosed. *See United States v. Kimble*, 142 F.4th 308, 310 n.2 (5th Cir. 2025) (holding

* This opinion is not designated for publication. *See* 5TH CIR. R. 47.5.

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that *United States v. Diaz*, 116 F.4th 458 (5th Cir. 2024), forecloses facial challenges to § 922(g)(1) based on the Second Amendment); *United States v. Alaniz*, 146 F.4th 1240, 1241 (5th Cir. 2025) (rejecting a defendant's as-applied challenge to § 922(g)(1) because that defendant, like Hahn, had a prior felony conviction for burglary); *Kimble*, 142 F.4th at 310 n.2 (holding that *United States v. Jones*, 88 F.4th 571, 573 (5th Cir. 2023), forecloses Commerce Clause challenges to § 922(g)(1)).

AFFIRMED.