

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS

UNITED STATES OF AMERICA,

Plaintiff,

v.

Case No. 21-10004-JWB

TRAYON L. WILLIAMS,

Defendant.

MEMORANDUM AND ORDER

This matter is before the court on Defendant's motion to dismiss the indictment. (Doc. 21.) The motion, as briefed, is ripe for decision. (Docs. 21 and 24.) For the reasons stated below, Defendant's motion is DENIED.

Defendant argues that 18 U.S.C. § 922(g)(1) is unconstitutional because "Congress exceeded its Commerce Clause power when it banned felons from possessing firearms 'in or affecting commerce'" under the statute. (Doc. 21 at 2.) The government asserts that "circuit precedent across the federal spectrum uniformly rejects" Defendant's argument and cites case law finding as much from nearly every circuit in this country. (Doc. 24 at 2.) Indeed, Defendant concedes in his motion that this issue has already been decided against him and he is merely preserving the issue for appellate review. (Doc. 21 at 3.) After reviewing the case law, the court agrees this issue is foreclosed. *See United States v. Dorris*, 236 F.3d 582, 586 (10th Cir. 2000); *see also* (Doc. 24 at 2.) Accordingly, Defendant's motion (Doc. 21) is DENIED.

IT IS SO ORDERED this 29th day of July, 2021.

s/ John W. Broomes
JOHN W. BROOMES
UNITED STATES DISTRICT JUDGE