

NOT FOR PUBLICATION

In the  
United States Court of Appeals  
For the Eleventh Circuit

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No. 25-13831  
Non-Argument Calendar

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UNITED STATES OF AMERICA,

*Plaintiff-Appellee,*

*versus*

EMANUEL DANY SOROA,

*Defendant-Appellant.*

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Appeal from the United States District Court  
for the Southern District of Florida  
D.C. Docket No. 1:24-cr-20279-DSL-1

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Before NEWSOM, BRASHER, and ABUDU, Circuit Judges.

PER CURIAM:

Emanuel Soroa appeals his conviction for one count of possession of a firearm and ammunition by a convicted felon, arguing

that 18 U.S.C. § 922(g)(1) is facially unconstitutional under the Second Amendment, in light of the Supreme Court’s decision in *New York State Rifle & Pistol Association, Inc. v. Bruen*, 597 U.S. 1 (2022). The government moves for summary affirmance, arguing that binding authority forecloses Soroa’s sole argument on appeal. After careful review, we grant the government’s motion and affirm.

Summary disposition is appropriate either where time is of the essence, such as “situations where important public policy issues are involved or those where rights delayed are rights denied,” or where “the position of one of the parties is clearly right as a matter of law so that there can be no substantial question as to the out-come of the case, or where, as is more frequently the case, the appeal is frivolous.” *Groendyke Transp., Inc. v. Davis*, 406 F.2d 1158, 1162 (5th Cir. 1969).<sup>1</sup>

We generally review challenges to the constitutionality of a statute *de novo*. *United States v. Gruezo*, 66 F.4th 1284, 1292 (11th Cir. 2023). However, under our prior panel precedent rule, we are bound to follow our own prior binding precedent until it is overruled by the Supreme Court or this Court sitting *en banc*. See *United States v. White*, 837 F.3d 1225, 1228 (11th Cir. 2016); *United States v. Lee*, 886 F.3d 1161, 1163 & n.3 (11th Cir. 2018).

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<sup>1</sup> Decisions of the United States Court of Appeals for the Fifth Circuit issued “prior to the close of business” September 30, 1981, are binding on this Court. *Bonner v. City of Prichard*, 661 F.2d 1206, 1209 (11th Cir. 1981) (*en banc*).

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We have several prior precedents holding that Section 922(g)(1) is constitutional under the Second Amendment in all circumstances. *United States v. Dubois*, 139 F.4th 887, 889 (11th Cir. 2025) (“[S]ection 922(g)(1) is constitutional under the Second Amendment.”), *cert. denied*, \_\_\_ S. Ct. \_\_\_, 2026 WL 135685 (2026) (mem.); *United States v. Hicks*, 166 F.4th 933, 938–39 (11th Cir. 2026) (similar); *United States v. Rozier*, 598 F.3d 768, 771 (11th Cir. 2010) (similar). None of these precedents have been overruled nor undermined to the point of abrogation. *See Dubois*, 139 F.4th at 892; *Hicks*, 166 F.4th at 938–39. For that reason, we must reject Soroa’s argument and hold that Section 922(g) is constitutional. Thus, “there can be no substantial question as to the outcome of the case,” so we **GRANT** the government’s motion for summary affirmation. *Groendyke Transp.*, 406 F.2d at 1162.

**AFFIRMED.**