

NOT FOR PUBLICATION

In the
United States Court of Appeals
For the Eleventh Circuit

No. 26-10951
Non-Argument Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

JUAN DE LA CRUZ MEJIA CASTRO,

Defendant-Appellant.

Appeal from the United States District Court
for the Northern District of Florida
D.C. Docket No. 3:25-cr-00189-MCR-1

Before LUCK, LAGOA and TJOFLAT, Circuit Judges.

PER CURIAM:

Juan Mejia Castro appeals his conviction and ten-month prison sentence for possessing a firearm as an illegal alien, in viola-

tion of 18 U.S.C. § 922(g)(5)(A).¹ He argues that § 922(g)(5)(A) unconstitutionally burdens his Second Amendment right to possess a firearm because he is protected by the plain language of the amendment and there is not an analogous historical regulation disarming immigrants who have resided in the country peacefully.²

In moving to dismiss the indictment, Mejia Castro “acknowledge[d] that binding Eleventh Circuit precedent foreclose[d] his argument.” *See United States v. Jimenez-Shilon*, 34 F.4th 1042, 1049 (11th Cir. 2022) (explaining “18 U.S.C. § 922(g)(5)(A) passes constitutional muster” because “consistent with the Second Amendment’s text and history, [illegal aliens] do not enjoy the right to keep and bear arms”). “Notwithstanding, [Mejia Castro] raise[d] the argument to preserve it for appeal.”

¹ Section 922 states in relevant part:

(g) It shall be unlawful for any person—

....

(5) who, being an alien—

(A) is illegally or unlawfully in the United States

....

to ... possess ... any firearm or ammunition; ... which has been shipped or transported in interstate or foreign commerce.

18 U.S.C. § 922(g)(5)(A).

² The Second Amendment states: “A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed.” U.S. Const. amend. II.

26-10951

Opinion of the Court

3

Mejia Castro was correct in identifying *Jimenez-Shilon* as binding precedent in our Circuit, and it remains so in the light of the Supreme Court's recent decisions in *N.Y. State Rifle & Pistol Ass'n, Inc. v. Bruen*, 597 U.S. 1, 142 S. Ct. 2111 (2022); *United States v. Rahimi*, 602 U.S. 680, 144 S. Ct. 1889 (2024); and *United States v. He-mani*, 146 S. Ct. 1677 (2026).

The District Court's judgment is accordingly

AFFIRMED.