

United States Court of Appeals
FOR THE EIGHTH CIRCUIT

No. 11-1550

United States of America,

Appellee,

v.

Joaquin Bravo Flores,

Appellant.

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* Appeal from the United States
* District Court for the
* District of Minnesota.
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* [PUBLISHED]
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Submitted: November 14, 2011

Filed: December 16, 2011

Before WOLLMAN, MURPHY, and BENTON, Circuit Judges.

PER CURIAM.

Joaquin Bravo Flores was indicted on a charge of being an illegal alien in possession of a firearm, in violation of 18 U.S.C. §§ 922(g)(5)(A) and 924(a)(2). Flores moved to dismiss the indictment, arguing that § 922(g)(5)(A) was facially unconstitutional in light of District of Columbia v. Heller, 554 U.S. 570 (2008). The district court¹ denied the motion, and Flores appeals. Agreeing with the Fifth Circuit that the protections of the Second Amendment do not extend to aliens illegally

¹The Honorable Joan N. Ericksen, United States District Judge for the District of Minnesota.

present in this country, United States v. Portillo-Munoz, 643 F.3d 437 (5th Cir. 2011),
petition for cert. filed (U.S. Nov. 2, 2011) (No. 11-7200), we affirm.
