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IN THE SUPREME COURT OF THE UNITED STATES

OCTOBER TERM 2024

MARK CRAIG, Petitioner,

v.

UNITED STATES OF AMERICA, Respondent

**APPENDIX A
ON PETITION FOR WRIT OF CERTIORARI
TO THE UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT**

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UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 22-4302

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

MARK ALLEN CRAIG, II,

Defendant - Appellant.

Appeal from the United States District Court for the Northern District of West Virginia, at Clarksburg. Thomas S. Kleeh, Chief District Judge. (1:21-cr-00022-TSK-MJA-1)

Submitted: June 27, 2024

Decided: July 18, 2024

Before AGEE and THACKER, Circuit Judges, and FLOYD, Senior Circuit Judge.

Affirmed by unpublished per curiam opinion.

ON BRIEF: L. Richard Walker, First Assistant Public Defender, OFFICE OF THE FEDERAL PUBLIC DEFENDER, Clarksburg, West Virginia, for Appellant. William Ihlenfeld, United States Attorney, Wheeling, West Virginia, Sarah E. Wagner, Assistant United States Attorney, OFFICE OF THE UNITED STATES ATTORNEY, Clarksburg, West Virginia, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Mark Allen Craig, II, appeals his conviction for possession of a firearm by a convicted felon, in violation of 18 U.S.C. § 922(g)(1). He argues that § 922(g)(1) is facially unconstitutional—and his conviction therefore infirm—following *New York State Rifle & Pistol Ass’n, Inc. v. Bruen*, which held that a firearm regulation is valid under the Second Amendment only if it “is consistent with this Nation’s historical tradition of firearm regulation.” 597 U.S. 1, 17 (2022).

We recently considered and rejected the same argument in *United States v. Canada*, holding that “Section 922(g)(1) is facially constitutional because it has a plainly legitimate sweep and may constitutionally be applied in at least *some* set of circumstances.” 103 F.4th 257, 258 (4th Cir. 2024) (internal quotation marks omitted). *Canada*, we conclude, clearly forecloses Craig’s challenge to the validity of his conviction.

Accordingly, we affirm Craig’s criminal judgment. We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before this court and argument would not aid the decisional process.

AFFIRMED