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Case No. 25-1975

UNITED STATES COURT OF APPEALS
FOR THE SIXTH CIRCUIT

FILED
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KELLY L. STEPHENS, Clerk

UNITED STATES OF AMERICA, Plaintiff-Appellee, v. RYAN ALEXANDER JONES, Defendant-Appellant.	)	ON APPEAL FROM THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF MICHIGAN OPINION

Before: BATCHELDER, MOORE, and READLER, Circuit Judges.

READLER, Circuit Judge. Ryan Alexander Jones was indicted for, pleaded guilty to, and was sentenced to 51 months in prison for possessing a firearm as a felon in violation of 18 U.S.C. § 922(g)(1). Along the way, he mounted unsuccessful facial and as-applied Second Amendment challenges to § 922(g)(1). We now review those same arguments de novo. *See United States v. Brown*, 147 F.4th 687, 688 (6th Cir. 2025). Because Circuit precedent forecloses Jones's position, we affirm.

New York State Pistol & Rifle Ass'n v. Bruen articulated a two-part test for examining whether a law infringes on the Second Amendment's guarantee of the right to keep and bear arms. 142 S. Ct. 2111, 2129–30 (2022). A court first examines whether the Second Amendment's "plain text covers" the conduct in question. *Id.* at 2129. If so, the government then bears the burden of showing the challenged law is "consistent with the Nation's historical tradition of firearm regulation." *Id.* at 2130. Applying this framework in *United States v. Williams*, we concluded that

while the Second Amendment's text covers what § 922(g)(1) regulates, the law accords with a historical tradition of barring "groups" deemed "dangerous" from possessing a firearm unless an individual within a prohibited class proved they "posed no danger to peace." 113 F.4th 637, 648–63 (6th Cir. 2024). As a result, *Williams* held that § 922(g)(1) was facially constitutional, but left open the possibility for as-applied challenges where a felon could show that he is not dangerous. *Id.* at 662–63; *see also United States v. Hostettler*, 170 F.4th 539, 542–43 (6th Cir. 2026).

Williams resolves this appeal. Jones concedes as much with respect to the facial invalidity of § 922(g)(1). As to his as-applied challenge, Jones admits that his prior offenses, which include a robbery and assault conviction, fall within a category of crimes for which we should consider him dangerous. Jones instead criticizes *Williams* for placing the burden on him to prove his lack of dangerousness. He claims *Williams*'s holding on that front is inconsistent with *Bruen* and its progeny, which require the government to show that a law aligns with our nation's historical tradition of firearm regulation. But as a follow-on panel, even if we thought *Williams* was wrong, we would be bound by its understanding of *Bruen*. *See Salmi v. Sec'y of Health & Hum. Servs.*, 774 F.2d 685, 689 (6th Cir. 1985). In any event, Jones is confusing different burdens: the burden of showing a historical tradition supporting a regulation versus the burden of proving an exception to a rule that the government has already justified as a historical matter. *Williams* held that the government satisfied the former burden as to § 922(g)(1), leaving a different burden for future defendants to shoulder in mounting as-applied challenges. 113 F.4th at 662–63. All to say, we see nothing inconsistent with *Williams* and the Supreme Court's recent teachings on the Second Amendment. And given Jones's concession that he cannot carry his burden as to proving his nondangerousness, his as-applied challenge necessarily fails.

In his reply brief, Jones, for the first time, maintains that § 922(g)(1) exceeds Congress's authority under the Commerce Clause. But his argument arrives too late for it to be considered on its merits. *See United States v. Moore*, 376 F.3d 570, 576 (6th Cir. 2004). And even if timely, the Commerce Clause challenge, like his Second Amendment challenge, is foreclosed by our precedent. *See United States v. Turner*, 77 F.3d 887, 889 (6th Cir. 1996).

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We affirm the judgment of the district court.