

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

MAR 19 2026

FOR THE NINTH CIRCUIT

MOLLY C. DWYER, CLERK  
U.S. COURT OF APPEALS

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

MICHAEL TRAVIS MILLER,

Defendant - Appellant.

No. 25-204

D.C. No.

3:23-cr-00024-TMB-MMS-1

MEMORANDUM\*

Appeal from the United States District Court  
for the District of Alaska  
Timothy M. Burgess, Circuit Judge, Presiding

Submitted March 16, 2026\*\*

Before: SILVERMAN, NGUYEN, and HURWITZ, Circuit Judges.

Michael Travis Miller appeals from the district court's judgment and challenges his guilty-plea conviction for being a felon in possession of firearms in violation of 18 U.S.C. § 922(g)(1). We have jurisdiction under 28 U.S.C. § 1291, and we affirm.

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\* This disposition is not appropriate for publication and is not precedent except as provided by Ninth Circuit Rule 36-3.

\*\* The panel unanimously concludes this case is suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

Miller asserts that § 922(g)(1) violates the Second Amendment, both facially and as applied to him as a purportedly non-violent felon. This claim is foreclosed. *See United States v. Duarte*, 137 F.4th 743, 750 (9th Cir. 2025) (en banc) (“[Section] 922(g)(1) is constitutional as applied to non-violent felons[.]”), *cert. denied*, \_\_ S. Ct. \_\_, 2026 WL 135692 (U.S. Jan. 20, 2026).

**AFFIRMED.**