NOT PRECEDENTIAL

UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT

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No. 24-1993

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UNITED STATES OF AMERICA

v.

DIJUAN TAYLOR,

Appellant

_____

On Appeal from the United States District Court
for the Western District of Pennsylvania
(D.C. No. 2:23-cr-00091-001)
District Judge: Honorable Nora B. Fischer

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Submitted Under Third Circuit L.A.R. 34.1(a)
November 12, 2025

Before: RESTREPO, McKEE, and AMBRO, *Circuit Judges*

(Opinion filed: January 7, 2026)

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OPINION*

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McKEE, *Circuit Judge*.

* This disposition is not an opinion of the full Court and pursuant to I.O.P. 5.7 does not constitute binding precedent.

I.

Dijuan Taylor appeals from the District Court's judgment of sentence, arguing that 18 U.S.C. § 922(g)(1) violates the Second Amendment facially and as applied to him.[1] However, Taylor concedes that his arguments are foreclosed by our decisions in *United States v. Moore* and *United States v. Quailes* because he was on state probation at the time of his indictment.[2] We agree.

II.

For the reasons discussed above, we will affirm the District Court's judgment of sentence.

[1] We have jurisdiction pursuant to 28 U.S.C. § 1291.We review the District Court's legal conclusions de novo and its factual findings for clear error. *United States v. Moore*, 111 F.4th 266, 268 n.1 (3d Cir. 2024), cert. denied, No. 24-968, 2025 WL 1787742 (U.S. June 30, 2025).

[2] *Moore*, 111 F.4th at 272 (holding "that convicts may be disarmed while serving their sentences on [federal] supervised release"); *Quailes*, 126 F.4th 215, 217 (3d Cir. 2025) (extending *Moore*'s logic to "appl[y] with equal force to defendants who are on state supervised release—including a sentence of parole or probation"). Taylor's facial challenge necessarily fails because he cannot "establish that no set of circumstances exists under which the Act would be valid." *United States v. Rahimi*, 602 U.S. 680, 693 (quoting *United States v. Salerno*, 481 U.S. 739, 745 (1987)).