

25-5343 BEAIRD V. UNITED STATES

DECISION BELOW: 2025 WL 1410410

LOWER COURT CASE NUMBER: 24-10764

QUESTION PRESENTED:

I. Whether 18 U.S.C. § 922(g)(1) comports with the Second Amendment?

II. Whether *Stinson v. United States* still accurately state the level of deference due to the Commentary of the Federal Sentencing Guidelines?

III. Whether 18 U.S.C. § 922(g) permits conviction for the possession of any firearm that has ever crossed state lines at any time in the indefinite past, and, if so, if it is facially unconstitutional?

THE MOTION OF PETITIONER FOR LEAVE TO PROCEED IN FORMA PAUPERIS IS GRANTED. THE PETITION FOR A WRIT OF CERTIORARI IS GRANTED LIMITED TO THE FOLLOWING QUESTION: WHETHER *STINSON V. UNITED STATES*, 508 U. S. 36 (1993), STILL CORRECTLY STATES THE RULE FOR THE DEFERENCE THAT COURTS MUST GIVE THE COMMENTARY TO THE SENTENCING GUIDELINES.

Order of May 6, 2026

ANTHONY J. DICK, ESQUIRE, OF WASHINGTON, D. C., IS INVITED TO BRIEF AND ARGUE THIS CASE, AS *AMICUS CURIAE*, IN SUPPORT OF THE POSITION THAT *STINSON V. UNITED STATES*, 508 U. S. 36 (1993), STILL CORRECTLY STATES THE RULE FOR THE DEFERENCE THAT COURTS MUST GIVE THE COMMENTARY TO THE SENTENCING GUIDELINES.

CERT. GRANTED 4/20/2026