

## Gun Ownership Can't Be Denied to Drug Users, US Court Rules



A federal appeals court recently overturned a long-standing law prohibiting individuals who use illegal drugs from owning firearms. The ruling, which has far-reaching implications, emerged from the case of a marijuana user and was influenced by a previous U.S. Supreme Court decision that expanded gun rights.

The 5th U.S. Circuit Court of Appeals, based in New Orleans, issued the verdict on Wednesday. The court's three-judge panel concluded that the decades-old federal law, which prevented users of illegal drugs from possessing firearms, infringed upon the Second Amendment rights of a Mississippi resident, Patrick Daniels. The Second Amendment of the U.S. Constitution grants citizens the right to "keep and bear arms."

Daniels had been convicted under this law when law enforcement discovered a pistol and a semi-automatic rifle in his vehicle during a traffic stop. Marijuana cigarette remnants were also found in the vehicle. Despite admitting to occasional marijuana use, which is prohibited by federal law, Daniels was not subjected to a drug test by the U.S. Drug Enforcement Administration. Subsequently, he was sentenced to nearly four years in prison.

**See also: [Federal Judge Upholds Constitutionality of Oregon's Stringent Gun Law](#)**

The pivotal moment in this case came in June of the previous year when the U.S. Supreme Court, with a conservative majority, declared that the Second Amendment safeguarded an individual's right to carry a handgun in public for self-defense. This landmark decision was rendered in the case of *New York State Rifle & Pistol Association v. Bruen*. Furthermore, the ruling introduced a novel criterion for evaluating firearms laws: regulations must align with the historical tradition of firearm regulation in the United States.

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U.S. Circuit Judge Jerry Smith, appointed by former Republican President Ronald Reagan, underscored that this precedent-setting decision invalidated the statute as it pertained to Daniels. He elaborated that although history and tradition might justify limiting an intoxicated person's right to carry a weapon, they did not warrant disarming a sober citizen solely based on their prior drug usage.

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U.S. Circuit Judge Stephen Higginson, an appointee of former Democratic President Barack Obama, concurred with the ruling while highlighting the numerous gun safety laws invalidated following the Supreme Court's decision. He urged the court to offer more explicit guidance in an upcoming case, expressing concerns that last year's verdict could lead to the erosion of laws that have safeguarded the nation for generations.

**Don't be a silent ninja! Let us know your thoughts in the comment section below.**