

UNITED STATES COURT OF APPEALS
FOR THE TENTH CIRCUIT

August 14, 2019

Elisabeth A. Shumaker
Clerk of Court

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

ALLEN DODSON,

Defendant - Appellant.

No. 19-3098
(D.C. No. 2:18-CR-20048-DDC-1)
(D. Kan.)

ORDER AND JUDGMENT*

Before **MATHESON, BACHARACH, and PHILLIPS**, Circuit Judges.

This panel has determined unanimously that oral argument would not materially assist in the determination of this appeal. *See* Fed. R. App. P. 34(a)(2); 10th Cir. R. 34.1(G). The case is therefore ordered submitted without oral argument.

This matter comes on for consideration of the parties' *Joint Motion for Summary Disposition*. Upon consideration thereof, the motion is granted and the district court's judgment is affirmed.

The defendant was convicted, following the entry of a conditional guilty plea, of failure to register as a sex offender, in violation of the Sex Offender Registration

* This order and judgment is not binding precedent, except under the doctrines of law of the case, *res judicata*, and collateral estoppel. It may be cited, however, for its persuasive value consistent with Fed. R. App. P. 32.1 and 10th Cir. R. 32.1.

and Notification Act (“SORNA”), 18 U.S.C. § 2250. He was sentenced to 10 months’ incarceration plus five years of supervised release.

On appeal, the only argument the defendant presents is that application of SORNA to him, a pre-act offender, violates the nondelegation doctrine. This court has rejected that argument in *United States v. Nichols*, 775 F.3d 1225, 1230-31 (10th Cir. 2014), *rev’d on other grounds sub nom. Nichols v. United States*, 136 S.Ct. 1113 (2016). *See also Gundy v. United States*, 139 S.Ct. 2116 (2019).

Accordingly, the judgment of the district court is **AFFIRMED**. The mandate shall issue forthwith.

Entered for the Court

Per Curiam