

United States Court of Appeals
For the Eighth Circuit

No. 16-3179

United States of America

Plaintiff - Appellee

v.

Larry Joseph Holt

Defendant - Appellant

Appeal from United States District Court
for the Eastern District of Missouri - St. Louis

Submitted: April 3, 2017

Filed: April 17, 2017

[Unpublished]

Before SMITH, Chief Judge, ARNOLD and SHEPHERD, Circuit Judges.

PER CURIAM.

After Larry Holt pleaded guilty to two counts of being a felon in possession of a firearm, *see* 18 U.S.C. § 922(g)(1), and one count of conspiring to distribute heroin,

see 21 U.S.C. § 841(a)(1), (b)(1)(C), and 18 U.S.C. § 2, the district court¹ sentenced him as an armed career criminal. *See* 18 U.S.C. § 924(e). He maintains on appeal that the district court erred in concluding that he is an armed career criminal because his conviction for unlawfully using a weapon under Mo. Rev. Stat. § 571.030.1(4) is not a "violent felony" under the Armed Career Criminal Act. Holt recognizes that our court has already determined that a conviction under this statute is a violent felony, *see United States v. Pulliam*, 566 F.3d 784, 788 (8th Cir. 2009), but he argues that we are not bound by *Pulliam* in light of intervening Supreme Court decisions. We reject Holt's argument because another panel of our court recently determined that *Pulliam* is still good law despite the same authorities that Holt relies on here. *See United States v. Hudson*, No. 15–3744, 2017 WL 1055583, at *2–3 (8th Cir. Mar. 21, 2017). The decision of a prior panel binds our panel. *United States v. Eason*, 829 F.3d 633, 641 (8th Cir. 2016).

Affirmed.

¹The Honorable Stephen N. Limbaugh, Jr., United States District Judge for the Eastern District of Missouri.