

United States Court of Appeals
For the Eighth Circuit

No. 18-3496

United States of America

Plaintiff - Appellee

v.

Michael Wilkinson

Defendant - Appellant

Appeal from United States District Court
for the Western District of Arkansas - Harrison

Submitted: August 5, 2019

Filed: August 8, 2019

[Unpublished]

Before SHEPHERD, GRASZ, and KOBES, Circuit Judges.

PER CURIAM.

Michael Wilkinson pleaded guilty to making threats against a federal officer's family in violation of 18 U.S.C. § 115(a)(1)(A), and the district court¹ sentenced him

¹The Honorable Billy Roy Wilson, United States District Judge for the Western District of Arkansas.

to time served (eight months and one day) and two years of supervised release. Wilkinson appeals, and his counsel has filed a brief under Anders v. California, 386 U.S. 738 (1967), challenging the factual basis supporting the plea and the lack of an inquiry into Wilkinson's medical condition to assess the voluntariness of the plea.

Because Wilkinson did not raise these arguments below, we review for plain error. See United States v. Christenson, 653 F.3d 697, 700 (8th Cir. 2011). Having reviewed the evidence before the district court, including the government's recitation of the facts it could prove and Wilkinson's admissions, we conclude that there was an adequate factual basis for the guilty plea, see United States v. Froom, 616 F.3d 773, 776-77 (8th Cir. 2010), and that there was no indication during the plea colloquy that Wilkinson's medical condition played any role in his decision to plead guilty. We also conclude that Wilkinson's pro se arguments involving matters related to the detention hearing are moot. See United States v. Askia, 893 F.3d 1110, 1122 (8th Cir. 2018), cert. denied, 2019 WL 2059745 (U.S. June 10, 2019).

After independently reviewing the record pursuant to Penson v. Ohio, 488 U.S. 75 (1988), we find no nonfrivolous issues for appeal. The judgment is affirmed, and counsel's motion to withdraw is granted.
