

United States Court of Appeals
For the Eighth Circuit

No. 20-1237

United States of America

Plaintiff - Appellee

v.

Carl D. Edwards

Defendant - Appellant

Appeal from United States District Court
for the Western District of Missouri - Kansas City

Submitted: November 24, 2020

Filed: December 4, 2020

[Unpublished]

Before ERICKSON, WOLLMAN, and STRAS, Circuit Judges.

PER CURIAM.

Carl Edwards received a 110-month sentence after the district court¹ convicted him of being a felon in possession of a firearm. *See* 18 U.S.C. §§ 922(g)(1), 924(a)(2). In an *Anders* brief, Edwards's counsel requests

¹The Honorable Stephen R. Bough, United States District Judge for the Western District of Missouri.

permission to withdraw and raises the denial of a motion to suppress as an issue for our review. *See Anders v. California*, 386 U.S. 738 (1967). Edwards has also filed a pro se brief and moved for leave to file a supplemental brief. We affirm.

We conclude that there was no reason to suppress any evidence because Edwards was brought before a magistrate “without unnecessary delay.” Fed. R. Crim. P. 5(a)(1)(A). Nor is *Rehaif v. United States*, 139 S. Ct. 2191 (2019), of any help to him, because there was evidence that he knew at the time he committed the crime that he was a convicted felon. *See United States v. Davies*, 942 F.3d 871, 873 (8th Cir. 2019) (applying plain-error review); *see also United States v. Hollingshed*, 940 F.3d 410, 415–16 (8th Cir. 2019) (concluding under similar circumstances that the plain-error standard was not satisfied). Finally, we decline to consider the ineffective-assistance-of-counsel claim now. *See United States v. Ramirez-Hernandez*, 449 F.3d 824, 826–27 (8th Cir. 2006) (explaining that this type of claim is “usually best litigated in collateral proceedings”).

We have also independently reviewed the record and conclude that no other non-frivolous issues exist. *See Penson v. Ohio*, 488 U.S. 75 (1988). We accordingly affirm the judgment, grant the motion to file a supplemental brief, and grant permission to withdraw.
