

United States Court of Appeals
For the Eighth Circuit

No. 20-1443

United States of America

Plaintiff - Appellee

v.

Casey Duante Jackson

Defendant - Appellant

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

Submitted: October 22, 2020

Filed: October 28, 2020

[Unpublished]

Before LOKEN, GRUENDER, and GRASZ, Circuit Judges.

PER CURIAM.

Casey Jackson appeals the district court's¹ order committing him to the custody of the Attorney General for hospitalization and treatment pursuant to 18 U.S.C. § 4246 (authorizing commitment when releasing a person who suffers from a mental disease or defect would create a substantial risk of bodily injury or serious damage to property).

We conclude the factual determinations underlying the district court's commitment decision were not clearly erroneous. *See United States v. Williams*, 299 F.3d 673, 676-78 (8th Cir. 2002) (standard of review). The commitment order is supported by medical opinions set forth in reports prepared by mental health professionals where Jackson is presently confined for treatment, and by defense counsel's independent psychological examiner. *See United States v. Ecker*, 30 F.3d 966, 970 (8th Cir. 1994) (listing suggested factors in determining potential dangerousness).

We note that the Attorney General is under a continuing obligation to exert reasonable efforts to place Jackson in a suitable state facility, and that his custodians must prepare annual reports concerning his mental condition and the need for continued commitment. *See* 18 U.S.C. §§ 4246(d) and 4247(e)(1)(B).

The judgment is affirmed, and counsel's motion to withdraw is granted.

¹The Honorable M. Douglas Harpool, United States District Judge for the Western District of Missouri, adopting the report and recommendations of the Honorable David P. Rush, United States Magistrate Judge for the Western District of Missouri.