

UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT

No. 19-2532

UNITED STATES OF AMERICA

v.

JAMES HILL,
Appellant

On Appeal from the United States District Court
for the Eastern District of Pennsylvania
(D.C. No. 2-18-cr-00458-001)
District Judge: Honorable Gerald A. McHugh

Submitted under Third Circuit LAR 34.1(a)
April 15, 2020

Before: AMBRO, JORDAN, and SHWARTZ, Circuit Judges.

JUDGMENT ORDER

After considering the contentions raised by appellant, to-wit, that the court erred in entering his conviction because the indictment did not allege, the jury was not instructed, and the evidence offered did not prove that he knew he was a felon at the time he possessed a firearm, and as none of these objections were preserved, and even if there were an indictment error, it is not plain error that requires disturbing the judgment because appellant cannot demonstrate prejudice, United States v. Greer, 141 S. Ct. 2090,

2097-98 (2021) (concluding defendant could not demonstrate prejudice under plain-error review because “[i]f a person is a felon, he ordinarily knows he is a felon,” particularly where he “stipulated to the fact that he was a felon”), it is

ADJUDGED AND ORDERED that the judgment of the district court be and is hereby affirmed.

BY THE COURT,

s/Patty Shwartz
Circuit Judge

ATTEST:

s/Patricia S. Dodszuweit
Clerk

Dated: July 30, 2021