

United States Court of Appeals
FOR THE EIGHTH CIRCUIT

No. 08-1206

United States of America,

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Appellee,

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v.

* Appeal from the United States
* District Court for the
* Eastern District of Missouri.

Robert Taylor,

*

* [UNPUBLISHED]

Appellant.

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Submitted: June 11, 2008

Filed: November 19, 2008

Before MURPHY, BYE, and SHEPHERD, Circuit Judges.

PER CURIAM.

Robert Taylor pleaded guilty to being a felon in possession of a firearm in violation of 18 U.S.C. § 922(g)(1). He was sentenced to 180 months of imprisonment as an Armed Career Criminal under 18 U.S.C. § 924(e) after the district court determined he had three prior violent felonies, one for committing the Missouri offense of tampering in violation of Mo. Rev. Stat. § 569.080. On appeal, Taylor challenges his sentence contending his prior conviction for tampering was not a violent felony under the Armed Career Criminal Act.

We recently held the Missouri crime of tampering does not qualify as a "crime of violence" for purposes of U.S. Sentencing Guideline § 2K2.1(a)(2), United States

v. Williams, 537 F.3d 969, 974-75 (8th Cir. 2008), a term we recognize as synonymous with the term "violent felony" for purposes of the Armed Career Criminal Act, see United States v. Johnson, 417 F.3d 990, 996 (8th Cir. 2007) ("The statutory definition of 'violent felony' is viewed as interchangeable with the guidelines definition of 'crime of violence.'").

Based on the holding in Williams, we reverse Taylor's sentence and remand this case to the district court for resentencing.
