

United States Court of Appeals
FOR THE EIGHTH CIRCUIT

No. 10-3572

United States of America,

Appellee,

v.

John J. Jett,

Appellant.

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Appeal from the United States
District Court for the
Western District of Missouri.

[UNPUBLISHED]

Submitted: April 21, 2011

Filed: April 22, 2011

Before LOKEN, MURPHY, and COLLOTON, Circuit Judges.

PER CURIAM.

John Jett pleaded guilty to being a felon in possession of a firearm in violation of 18 U.S.C. §§ 922(g)(1) and 924(e). The district court¹ concluded that he was an armed career criminal, see 18 U.S.C. § 924(e)(1), and sentenced him to 188 months in prison, the bottom of the Sentencing Guidelines range. On appeal, Jett's counsel has filed a brief under Anders v. California, 386 U.S. 738 (1967), and has moved to withdraw. Jett has filed a pro se supplemental brief. After careful review, we affirm.

¹The HONORABLE RICHARD E. DORR, United States District Judge for the Western District of Missouri.

In the Anders brief, counsel argues that Jett’s eleven Missouri burglary convictions for first- and second-degree burglary were not “violent felonies” for purposes of armed-career-criminal status, and Jett argues the same. These convictions qualify as violent felonies, however, as both the statute itself and our precedent make clear. See 18 U.S.C. § 924(e)(2)(B); United States v. Bell, 445 F.3d 1086, 1090-91 (8th Cir. 2006). Further, after reviewing the record independently under Penson v. Ohio, 488 U.S. 75 (1988), we have found no nonfrivolous issues for appeal. Accordingly, we affirm the district court’s judgment, and we grant counsel’s motion to withdraw, subject to counsel informing Jett about procedures for seeking rehearing or filing a petition for certiorari.
