

United States Court of Appeals
For the Eighth Circuit

No. 13-2417

United States of America

Plaintiff - Appellee

v.

Steven M. Evans

Defendant - Appellant

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

Submitted: December 2, 2013

Filed: December 9, 2013

[Unpublished]

Before LOKEN, BOWMAN, and GRUENDER, Circuit Judges.

PER CURIAM.

Steven Evans, who was found incompetent to proceed on a criminal charge involving kidnapping his children, appeals the district court's¹ order committing him

¹The Honorable Fernando J. Gaitan, Jr., Chief Judge, United States District Court for the Western District of Missouri, adopting the report and recommendations

to the custody of the Attorney General under 18 U.S.C. § 4246, which provides for the hospitalization of a person due for release but found by clear and convincing evidence after a hearing to be suffering from a mental disease or defect such that his release would be dangerous. Having carefully reviewed the record and Evans's counseled and pro se arguments, we conclude that the district court's findings in support of the commitment order are not clearly erroneous. *See United States v. Williams*, 299 F.3d 673, 676-78 (8th Cir. 2002). Accordingly, we affirm. *See* 8th Cir. R. 47B. We also grant counsel's motion to withdraw.

of the Honorable David P. Rush, United States Magistrate Judge for the Western District of Missouri.