

United States Court of Appeals  
For the Eighth Circuit

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No. 15-1841

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United States of America

*Plaintiff - Appellee*

v.

David Allen Goodwin

*Defendant - Appellant*

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Appeal from United States District Court  
for the Southern District of Iowa - Davenport

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Submitted: August 9, 2016  
Filed: September 23, 2016  
[Unpublished]

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Before WOLLMAN, BYE, and SMITH, Circuit Judges.<sup>1</sup>

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PER CURIAM.

David Allen Goodwin pled guilty to being a felon in possession of a handgun, in violation of 18 U.S.C. § 922(g)(1), and was sentenced as an armed career criminal

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<sup>1</sup>This opinion is being filed by Judge Wollman and Judge Smith pursuant to 8th Cir. Rule 47E.

to the mandatory minimum punishment of 180 months' imprisonment. He appealed, contending that his Iowa burglary conviction did not qualify as a violent felony predicate under the Armed Career Criminal Act. 18 U.S.C. § 924(e)(1). We summarily affirmed the conviction, citing our court's recent decision in United States v. Mathis, 786 F.3d 1068 (8th Cir. 2015).

The United States Supreme Court granted Goodwin's petition for a writ of certiorari, vacated our judgment, and remanded the case to us for further consideration in light of its decision in Mathis v. United States, 136 S. Ct. 2243 (2016), which held that "[b]ecause the elements of Iowa's burglary law are broader than those of generic burglary, Mathis's convictions under that law cannot give rise to an ACCA sentence." Id. at 2257.

In a joint statement filed following the Supreme Court's remand order, the government agreed with Goodwin that Goodwin's sentence should be vacated and the case remanded for resentencing.

Goodwin's sentence is vacated, and the case is remanded to the district court for resentencing.

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