

United States Court of Appeals
For the Eighth Circuit

No. 15-3615

United States of America

Plaintiff - Appellee

v.

Willie Earl Clark

Defendant - Appellant

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

Submitted: July 19, 2016

Filed: July 22, 2016

[Unpublished]

Before WOLLMAN, ARNOLD, and MURPHY, Circuit Judges.

PER CURIAM.

Willie Clark appeals the judgment of the district court¹ committing him to the custody of the Attorney General following proceedings under 18 U.S.C. § 4245, providing for hospitalization and treatment of an imprisoned person suffering from a mental disease or defect, until he no longer needs treatment or his prison sentence expires, whichever occurs first. We have carefully reviewed the record, which includes a psychiatric report and opinion generated by psychologists at the United States Medical Center for Federal Prisoners in Springfield, Missouri, where Clark is currently held; the psychologists opined that Clark met the criteria for commitment under section 4245, and their written opinion is uncontradicted by the report of an independent psychiatrist, with whom Clark refused to talk, or by anything else in the record before us. Accordingly, we conclude that the district court did not clearly err in finding by a preponderance of the evidence pursuant to 18 U.S.C. § 4245(d) that Clark is in need of commitment for mental health treatment in a suitable facility. See United States v. Bean, 373 F.3d 877, 879 (8th Cir. 2004) (standard of review). The judgment of the district court is affirmed, and counsel's motion to withdraw is granted.

¹The Honorable M. Douglas Harpool, United States District Judge for the Western District of Missouri, adopting the report and recommendations of the Honorable David P. Rush, Magistrate Judge for the Western District of Missouri.