

United States Court of Appeals
For the Eighth Circuit

No. 18-1426

United States of America

Plaintiff - Appellee

v.

Anthony Jovon Brown, also known as Anthony Brown

Defendant - Appellant

No. 18-1427

United States of America

Plaintiff - Appellee

v.

Anthony Jovon Brown, also known as Anthony Brown

Defendant - Appellant

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

Submitted: January 14, 2019

Filed: February 22, 2019

[Published]

Before GRUENDER, WOLLMAN, and SHEPHERD, Circuit Judges.

PER CURIAM.

Anthony Brown appeals his sentence of 120 months' imprisonment for bank robbery. He challenges the district court's¹ application of the crime of violence enhancement under the sentencing guidelines, contending that his Illinois attempted robbery conviction does not qualify as a career offender predicate under the guidelines's force clause. *See* U.S.S.G. § 4B1.2(a)(1). "We review *de novo* the district court's determination that a conviction constitutes a crime of violence." *United States v. Williams*, 899 F.3d 659, 662 (8th Cir. 2018).

We recently held that Illinois robbery is a "violent felony" under the force clause of the Armed Career Criminal Act ("ACCA"), 18 U.S.C. § 924(e)(2)(b). *Dembry v. United States*, No. 17-2849, 2019 WL 436580, at *2-3 (8th Cir. Feb. 5, 2019). "The relevant definition of a violent felony under the ACCA and the definition of a crime of violence under the guidelines are so similar that we generally consider cases interpreting them interchangeably." *United States v. Sykes*, 914 F.3d 615, 620 (8th Cir. 2019) (internal quotation marks omitted). Applying this logic, we hold that Illinois robbery is a crime of violence under the guidelines. And because Illinois robbery is a crime of violence, so too is Illinois attempted robbery. *See* U.S.S.G. § 4B1.2(a)(1) n.1 (noting that a "crime of violence" includes attempts to commit such an offense). This conclusion is consistent with Seventh Circuit decisions, which have "repeatedly held that Illinois robbery is a crime of violence

¹The Honorable John A. Jarvey, Chief Judge, United States District Court for the Southern District of Iowa.

under the ‘force’ clause of § 4B1.2(a)(1).” *United States v. Davis*, 712 F. App’x 578, 579 (7th Cir. 2018), *cert. denied*, 138 S. Ct. 2695 (2018).

For these reasons, we affirm Brown’s sentence.
