

United States Court of Appeals  
For the Eighth Circuit

---

No. 18-3279

---

United States of America

*Plaintiff - Appellee*

v.

Arinthus Johnson

*Defendant - Appellant*

---

Appeal from United States District Court  
for the Eastern District of Missouri - St. Louis

---

Submitted: September 23, 2019

Filed: October 11, 2019

[Unpublished]

---

Before KELLY, MELLOY, and STRAS, Circuit Judges.

---

PER CURIAM.

Arinthus Johnson received a below-Guidelines-range, 96-month prison sentence after pleading guilty to possessing a firearm as a felon. 18 U.S.C. §§ 922(g)(1), 924(a)(2). On appeal, he argues that the district court<sup>1</sup> erroneously

---

<sup>1</sup>The Honorable E. Richard Webber, United States District Judge for the Eastern District of Missouri.

counted his prior Missouri conviction of unlawful use of a weapon as a “crime of violence,” which increased his base offense level under the Sentencing Guidelines. *See* U.S.S.G. §§ 2K2.1(a)(2), 4B1.2(a); *see also* Mo. Rev. Stat. § 571.030.1(4). We considered and rejected this argument in *United States v. Hudson*, 851 F.3d 807 (8th Cir. 2017). Accordingly, we affirm the judgment of the district court. *See* 8th Cir. R. 47B.

---