

United States Court of Appeals
For the Eighth Circuit

No. 20-1626

United States of America

Plaintiff - Appellee

v.

Jason Michael Schumacher, also known as Daniel David Schumacher, also known
as Jonathan Groom

Defendant - Appellant

Appeal from United States District Court
for the Northern District of Iowa - Eastern

Submitted: April 19, 2021

Filed: May 5, 2021

[Unpublished]

Before COLLOTON, BENTON, and STRAS, Circuit Judges.

PER CURIAM.

Jason Michael Schumacher appeals after the district court denied the motion to compel that he filed in his closed criminal case. Having jurisdiction, this court vacates the order and remands for dismissal of the motion.

Schumacher's appointed counsel has moved for leave to withdraw and filed a brief stating that this court previously adjudicated an appeal from the criminal judgment. In a pro se brief, Schumacher requests that plea counsel provide him his client file.

This court affirmed the appeal of Schumacher's conviction and his criminal case was closed. *United States v. Schumacher*, 772 Fed. Appx. 412 (8th Cir. 2019). The district court lacked jurisdiction to consider his motion to compel because there was no case pending, and the motion should have been dismissed. *See United States v. Gleason*, 753 F.2d 83, 85 (8th Cir. 1985); *United States v. Woods*, No. 15-3304, 2016 WL 3457754, at *3 (10th Cir. 2016).

The district court's order is vacated, and the case remanded for dismissal of the motion. Counsel's motion to withdraw is granted.
