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**STATE OF MINNESOTA
IN COURT OF APPEALS
A19-1390**

State of Minnesota,
Respondent,

vs.

Eric Anthony Hines,
Appellant.

**Filed July 6, 2020
Affirmed
Florey, Judge**

Hennepin County District Court
File No. 27-CR-18-24395

Keith Ellison, Minnesota Attorney General, St. Paul, Minnesota; and

Michael O. Freeman, Hennepin County Attorney, Linda M. Freyer, Assistant County Attorney, Minneapolis, Minnesota (for respondent)

Cathryn Middlebrook, Chief Appellate Public Defender, Davi E. Axelson, Assistant Public Defender, St. Paul, Minnesota (for appellant)

Considered and decided by Reilly, Presiding Judge; Tracy M. Smith, Judge; and Florey, Judge.

UNPUBLISHED OPINION

FLOREY, Judge

In this direct appeal from a judgment of conviction for unlawful possession of a firearm, appellant Eric Anthony Hines argues that the district court erred in interpreting

“felony conviction” as used in the statute to include juvenile-delinquency adjudications. We affirm.

FACTS

In October 2018, Hines was charged with two counts of possession of ammunition/firearm while having been convicted of or adjudicated delinquent for a crime of violence in violation of Minn. Stat. § 624.713, subd. 1(2) (2016). Hines was adjudicated delinquent in February 2006 for two counts of second-degree aggravated robbery. In February 2019, Hines pleaded guilty to both counts. The district court committed Hines to the commissioner of corrections for 48 months. Hines appeals.

DECISION

Both parties agree that *Roberts v. State*, a case currently pending before the supreme court, is dispositive in the instant matter. 933 N.W.2d 418 (Minn. App. 2019), *review granted* (Minn. Oct. 29, 2019).

The issue in *Roberts*—as here—is whether juvenile-delinquency adjudications are considered felony convictions for the purposes of Minn. Stat. § 624.712, subd. 5. Minn. Stat. § 624.713, subd. 1(2), provides that “a person who has been convicted of, or adjudicated delinquent or convicted as an extended-jurisdiction juvenile for committing . . . a crime of violence” is ineligible to possess ammunition, a pistol, or a semiautomatic military-style assault weapon, or any other firearm. Minn. Stat. §624.712, subd. 5 (2016), defines “crime[s] of violence” as “felony convictions of the following offenses,” followed by a list which includes aggravated robbery.

Hines asserts that an adjudication of delinquency is not a “felony conviction” for the purposes of Minn. Stat. § 624.712, subd. 5, and thus, he was not ineligible to possess a firearm under Minn. Stat. § 624.713, subd. 1(2).

In *Roberts v. State* this court concluded:

[I]n the context of the statutory scheme, the definition of “crime of violence” contained within Minn. Stat. § 624.712, subd. 5, unambiguously includes juvenile adjudications for the listed offenses, and that Minn. Stat. § 624.713, subd. 1(2), therefore prohibits persons who have been adjudicated delinquent of a “crime of violence” from possessing firearms.

933 N.W.2d at 423.

We follow *Roberts* here. See *State v. M.L.A.*, 785 N.W.2d 763, 767 (Minn. App. 2010) (stating that we are “bound by supreme court precedent and the published opinions of the court of appeals”), *review denied* (Minn. Sept. 21, 2010). Accordingly, we affirm Hines’s conviction.

Affirmed.