

**United States Court of Appeals
FOR THE EIGHTH CIRCUIT**

No. 99-2295

United States of America,

Appellee,

v.

William Charles Clarkson, also known
as Chuck Clarkson,

Appellant.

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Appeal from the United States
District Court for the District
of Minnesota.

[UNPUBLISHED]

Submitted: February 18, 2000

Filed: February 29, 2000

Before McMILLIAN, LAY, and FAGG, Circuit Judges.

PER CURIAM.

Following his imprisonment for bank fraud, William Charles Clarkson was placed on supervised release conditioned on certain terms. Clarkson was required to report periodically to a probation officer, to seek permission before traveling, and to take medication prescribed to control his delusions. After Clarkson stopped taking his medicine, he started to believe his probation officer had been hired to kill him. Fearing for his life, Clarkson stopped reporting to his probation officer and fled the jurisdiction without his probation officer's permission. Clarkson was later found in New Mexico

and returned to Minnesota for a hearing on the revocation of his supervised release. After receiving evidence, the district court found Clarkson had violated the conditions of his release and committed Clarkson to imprisonment for nine months at a federal mental center. On appeal, Clarkson admits he violated the terms of his release, but contends the district court should not have revoked it because he was driven by delusions rather than by any criminal intent. Probation is properly revoked when the defendant does not comply with release terms, whether the failure is the result of willfulness, carelessness, or impaired mental capacity. See United States v. Brown, 899 F.2d 189, 193 (2d Cir. 1990); see also Bearden v. Georgia, 461 U.S. 660, 668 n.9 (1983) (revocation of release proper even if defendant lacks fault for violating release terms); United States v. Gallo, 20 F.3d 7, 14-15 (1st Cir. 1994) (same). Besides, Clarkson's willful decision to quit taking his medication was itself a probation violation. We thus conclude the district court did not abuse its discretion in revoking Clarkson's supervised release.

A true copy.

Attest:

CLERK, U.S. COURT OF APPEALS, EIGHTH CIRCUIT.