

United States Court of Appeals
FOR THE EIGHTH CIRCUIT

No. 03-1968

United States of America,

Appellee,

v.

Maurice Thomas Poindexter,

Appellant.

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

[UNPUBLISHED]

Submitted: November 7, 2003

Filed: December 1, 2003

Before BYE, BOWMAN, and MELLOY, Circuit Judges.

PER CURIAM.

After a bench trial, Maurice Poindexter was convicted of being a felon in possession of a firearm, in violation of 18 U.S.C. § 922(g)(1). Poindexter requested that his federal sentence be ordered to run concurrently with his undischarged state probation-revocation sentence. Rejecting that request, the district court¹ imposed a

¹The Honorable Carol E. Jackson, Chief Judge, United States District Court for the Eastern District of Missouri.

120-month prison term to run consecutively to his state sentence, plus 3 years supervised release. Poindexter appeals.

Upon de novo review, see United States v. Ashley, 342 F.3d 850, 852 (8th Cir. 2003), we affirm the sentence imposed by the district court, see United States v. Smith, 282 F.3d 1045, 1047-48 (8th Cir. 2002) (U.S.S.G. § 5G1.3, comment. (n.6) is binding on federal sentencing courts and mandates that sentence imposed on defendant for crime committed during probation must run consecutively to any resulting sentence for probation revocation).
