

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

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No. 03-3369

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United States of America,

Appellee,

v.

Randy Fink,

Appellant.

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

[UNPUBLISHED]

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Submitted: February 11, 2004

Filed: March 11, 2004

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Before RILEY, MELLOY, and COLLOTON, Circuit Judges.

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PER CURIAM.

Randy Fink appeals his commitment under 18 U.S.C. § 4245, and we grant him leave to do so in forma pauperis. After careful review, we affirm the district court's<sup>1</sup> order, entered after a hearing, because the finding that Fink suffers from a mental

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<sup>1</sup>The Honorable Richard E. Dorr, United States District Judge for the Western District of Missouri, adopting the report and recommendations of the Honorable James C. England, United States Magistrate Judge for the Western District of Missouri.

disease or defect for which he requires treatment in a suitable facility is not clearly erroneous. See United States v. Eckerson, 299 F.3d 913, 914-15 (8th Cir. 2002) (per curiam) (standard of review). The judgment is affirmed. See 8th Cir. R. 47A(a).

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