

United States Court of Appeals
FOR THE EIGHTH CIRCUIT

No. 06-3202

United States of America,

Appellee,

v.

Joel J. Knott,

Appellant.

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

[UNPUBLISHED]

Submitted: April 18, 2007

Filed: April 19, 2007

Before COLLOTON, BEAM, and BENTON, Circuit Judges.

PER CURIAM.

After Joel Knott pleaded guilty to being a felon in possession of a firearm, in violation of 18 U.S.C. § 922(g), the district court¹ sentenced him to a year and a day in prison and two years of supervised release. On appeal, he argues that the district court erred by declining his request to apply U.S.S.G. § 2K2.1(b)(2), which provides a reduced base offense level to felon-in-possession defendants who possess firearms solely for collection purposes. Given the state of the record and the fact that it was Knott's burden to prove his entitlement to the reduced base offense level, we conclude

¹The Honorable Richard G. Kopf, United States District Judge for the District of Nebraska.

that the district court did not clearly err by determining that Knott (or alternatively, the owner of the shotgun that Knott possessed) did not possess the firearm solely for collection purposes. See United States v. Lussier, 423 F.3d 838, 843 (8th Cir. 2005) (burden of proof and standard of review; clear error does not occur when evidence supports two reasonable inferences), cert. denied, 126 S. Ct. 1120 (2006). Accordingly, we affirm the judgment of the district court.
