

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

No. 10-3768

United States of America,

Appellee,

v.

Robert Keith Cravens,

Appellant.

*
*
*
*
*
*
*
*
*

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

[UNPUBLISHED]

Submitted: April 7, 2011
Filed: April 13, 2011

Before LOKEN, MURPHY, and COLLOTON, Circuit Judges.

PER CURIAM.

Robert Cravens pleaded guilty to two counts of unlawful possession of firearms in violation of 18 U.S.C. § 922(g), and the district court¹ sentenced him to concurrent prison terms of 120 months and 216 months. Cravens appeals. His counsel has moved to withdraw and filed a brief under Anders v. California, 386 U.S. 738 (1967), questioning the determination that Cravens was an armed career criminal.

¹The Honorable Gregory Kays, United States District Judge for the Western District of Missouri.

We find no error in the determination, and conclude that the district court properly sentenced Cravens. Portions of the presentence report (PSR) to which Cravens did not object showed that he had three previous convictions for a violent felony (one assault causing physical injury, and two burglaries), which subjected him to enhanced sentencing under 18 U.S.C. § 924(e). See Shepard v. United States, 544 U.S. 13, 26 (2005) (listing charging document among judicial records that court may consider in assessing predicate convictions for § 924(e)); United States v. Livingston, 442 F.3d 1082, 1084 (8th Cir. 2006) (using PSR’s description of charging instrument to decide whether prior conviction was violent felony under § 924(e)).

Having reviewed the record under Penson v. Ohio, 488 U.S. 75, 80 (1988), we find no nonfrivolous issues. Accordingly, we grant counsel’s motion, and we affirm the judgment.
