

United States Court of Appeals
For the Eighth Circuit

No. 17-2758

United States of America

Plaintiff - Appellee

v.

Vernon Montrell Webster, also known as Webster Connell Spunky, Jr., also
known as Tracy Connell Webster, Jr.

Defendant - Appellant

Appeal from United States District Court
for the Northern District of Iowa - Waterloo

Submitted: June 11, 2018

Filed: July 11, 2018

[Unpublished]

Before LOKEN, GRUENDER, and GRASZ, Circuit Judges.

PER CURIAM.

Vernon Webster pleaded guilty to being a felon in possession of a firearm, *see* 18 U.S.C. § 922(g)(1), and he received an enhanced sentence pursuant to the Armed Career Criminal Act (“ACCA”), *see id.* § 924(e). Webster now appeals his sentence,

arguing that the district court¹ erred in concluding that his three prior Wisconsin convictions for burglary of a building or dwelling qualify as violent felonies under the ACCA. *See* Wisc. Stat. § 943.10(1)(a), (2)(a) (1978). Before the district court, however, Webster acknowledged the controlling authority of *United States v. Lamb*, in which we held that an identical burglary conviction qualified as a violent felony. *See* 847 F.3d 928, 930 (8th Cir. 2017), *cert. denied*, 138 S. Ct. 1438 (2018). On appeal, Webster argues that *Lamb* was wrongly decided and that it should be overruled. However, “[i]t is a cardinal rule in our circuit that one panel is bound by the decision of a prior panel.” *See United States v. Nelson*, 589 F.3d 924, 925 (8th Cir. 2009) (per curiam). Thus, in light of our decision in *Lamb*, we conclude that the district court did not err in sentencing Webster as an armed career criminal.

Accordingly, we affirm Webster’s sentence.

¹The Honorable Linda R. Reade, United States District Judge for the Northern District of Iowa.