

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

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No. 97-1391

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United States of America,	*
	*
Plaintiff - Appellee,	*
	*
v.	* Appeal from the United States
	* District Court for the
	* District of Minnesota.
Leon Jack Hudson, also known	*
as Charles North,	* [UNPUBLISHED]
	*
Defendant - Appellant.	*

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Submitted: June 10, 1997  
            Filed: June 13, 1997

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Before MURPHY and HEANEY, Circuit Judges, and BOGUE,<sup>1</sup> District Judge.

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PER CURIAM.

Leon Jack Hudson was found guilty by a jury of bank robbery under 18 U.S.C. § 2113(a) (1997) and sentenced to 84 months in prison. Hudson argues on appeal that the evidence was insufficient to show that he took property of the bank by "force,

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<sup>1</sup>The Honorable Andrew W. Bogue, United States District Judge for the District of South Dakota, sitting by designation.

violence, or intimidation" and that the district court<sup>2</sup> erred in applying a sentencing enhancement for obstruction of justice under U.S.S.G. § 3C1.1 (1997) because he lied about his identity at his initial appearance. A thorough review of the record reveals that the evidence was sufficient to support the conviction under § 2113(a) and the enhancement was appropriate because Hudson's identity was a material fact. United States v. St. James, 38 F.3d 987, 988 (8th Cir. 1994). The judgment of the district court is affirmed.

A true copy.

Attest:

CLERK, U.S. COURT OF APPEALS, EIGHTH CIRCUIT.

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<sup>2</sup>The Honorable Richard H. Kyle, United States District Judge for the District of Minnesota.