

United States Court of Appeals
FOR THE EIGHTH CIRCUIT

No. 01-1400

United States of America,

Appellee,

v.

Ronald Mitchell,

Appellant.

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* Appeal from the United States

* District Court for the

* Western District of Missouri.

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* [UNPUBLISHED]

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Submitted: July 13, 2001

Filed: July 24, 2001

Before BYE, RICHARD S. ARNOLD, and BEAM, Circuit Judges.

PER CURIAM.

Following a hearing, the district court¹ ordered Ronald Mitchell committed under 18 U.S.C. § 4245 to the custody of the Attorney General, for hospital care and treatment in a suitable facility until treatment is no longer needed or Mitchell's sentence expires, whichever occurs first. Mitchell appeals. Having carefully reviewed the record, we are satisfied that the district court's findings as to Mitchell's condition are not clearly erroneous. See 18 U.S.C. § 4245(d) (burden of proof); United States v.

¹The Honorable Ortrie D. Smith, 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.

S.A., 129 F.3d 995, 1000 (8th Cir. 1997) (standard of review), cert. denied, 523 U.S. 1011 (1998). Accordingly, we affirm.

We grant counsel's motion to withdraw, and deny Mitchell's pro se motion.

A true copy.

Attest:

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