

United States Court of Appeals
For the Eighth Circuit

No. 13-2440

United States of America

Plaintiff - Appellee

v.

Rita Frances Hunter

Defendant - Appellant

Appeal from United States District Court
for the Western District of Missouri - Joplin

Submitted: December 23, 2013

Filed: December 26, 2013

[Unpublished]

Before LOKEN, BOWMAN, and GRUENDER, Circuit Judges.

PER CURIAM.

After Rita Hunter pleaded guilty to document fraud in violation of 18 U.S.C. §§ 1001 and 2, the district court¹ imposed a sentence of 12 months and 1 day in

¹The Honorable Dean Whipple, United States District Judge for the Western District of Missouri.

prison and 3 years of supervised release, and ordered Hunter to pay \$120,000 in restitution. On appeal, Hunter's counsel has moved to withdraw and has filed a brief under Anders v. California, 386 U.S. 738 (1967), challenging the imposition of restitution.

We conclude that the court did not plainly err in imposing restitution for the uncontested amount of pecuniary loss to Medicaid, the victim of Hunter's fraud. See 18 U.S.C. § 3663A(a)(1), (c)(1)(A)-(B); United States v. Schmidt, 675 F.3d 1164, 1167-69 (8th Cir. 2012) ("victims" owed restitution include governmental agencies); United States v. Louper-Morris, 672 F.3d 539, 566 (8th Cir. 2012) (standard of review).

Further, having independently reviewed the record under Penson v. Ohio, 488 U.S. 75, 80 (1988), we find no nonfrivolous issues. We therefore affirm the judgment of the district court, and we grant counsel's motion to withdraw.
