

United States Court of Appeals
For the Eighth Circuit

No. 18-2891

United States of America

Plaintiff - Appellee

v.

David Holiday

Defendant - Appellant

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

Submitted: April 15, 2019

Filed: April 29, 2019

[Unpublished]

Before LOKEN, GRUENDER, and SHEPHERD, Circuit Judges.

PER CURIAM.

David Holiday appeals the district court's¹ order committing him under 18 U.S.C. § 4245, which provides for hospitalization and treatment of an imprisoned person suffering from a mental disease or defect, until he no longer needs treatment or his prison sentence expires, whichever occurs first. Upon careful review of the record--including the psychological evaluations of mental health professionals where Holiday is presently confined for treatment, and of defense counsel's independent psychological examiner--we conclude the district court's section 4245 finding was supported by a preponderance of the evidence, and was not clearly erroneous. See 18 U.S.C. § 4245(d); United States v. Bean, 373 F.3d 877, 879 (8th Cir. 2004) (standard of review). We also conclude that Holiday's pro se arguments offer no basis for relief.

The judgment of the district court is affirmed, and counsel's motion to withdraw is granted.

¹The Honorable M. Douglas Harpool, United States District Judge for the Western District of Missouri, adopting the report and recommendations of the Honorable David P. Rush, United States Magistrate Judge for the Western District of Missouri.