

United States Court of Appeals
For the Eighth Circuit

No. 17-3140

Braun Nathan Thompson

Petitioner - Appellant

v.

United States of America

Respondent - Appellee

Appeal from United States District Court
for the Northern District of Iowa - Ft. Dodge

Submitted: May 13, 2019

Filed: May 17, 2019

[Unpublished]

Before ERICKSON, WOLLMAN, and GRASZ, Circuit Judges.

PER CURIAM.

Braun Thompson appeals the district court's¹ order denying his 28 U.S.C. § 2255 motion. The district court granted Thompson a certificate of appealability on

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

whether he was properly sentenced under the Armed Career Criminal Act (ACCA), 18 U.S.C. § 924(e). Thompson claimed that his prior Minnesota convictions for aggravated robbery no longer qualified as predicate violent felonies without reliance on the ACCA's residual clause, which was invalidated as unconstitutionally vague in Johnson v. United States, 135 S. Ct. 2551, 2557 (2015). Following de novo review, see United States v. Hernandez, 436 F.3d 851, 854 (8th Cir. 2006), we conclude that Thompson was properly sentenced as an armed career criminal and that the district court did not err in denying relief, see United States v. Pettis, 888 F.3d 962, 965-66 (8th Cir. 2018), cert. denied, 139 S. Ct. 1258 (2019); United States v. Libby, 880 F.3d 1011, 1013 (8th Cir. 2018). The judgment of the district court is affirmed. See 8th Cir. R. 47B.
