

United States Court of Appeals
For the Eighth Circuit

No. 21-2062

United States of America

Plaintiff - Appellee

v.

Aaron Meggs

Defendant - Appellant

Appeal from United States District Court
for the Western District of Arkansas - Fayetteville

Submitted: October 19, 2021

Filed: October 29, 2021

[Unpublished]

Before COLLOTON, SHEPHERD, and STRAS, Circuit Judges.

PER CURIAM.

Aaron Meggs pleaded guilty to being a felon in possession of a firearm. *See* 18 U.S.C. § 922(g)(1). Applying the Armed Career Criminal Act, the district court¹

¹The Honorable Timothy L. Brooks, United States District Judge for the Western District of Arkansas.

gave him a 180-month prison sentence. *See* 18 U.S.C. § 924(e). In an *Anders* brief, counsel suggests that Meggs does not qualify as an armed career criminal and that, in any event, the district court lacked jurisdiction. *See Anders v. California*, 386 U.S. 738 (1967).

On the first issue, we conclude that the district court did not plainly err in concluding otherwise, based on Meggs’s three prior serious drug offenses. *See United States v. Boman*, 873 F.3d 1035, 1040 (8th Cir. 2017) (reviewing an ACCA determination for plain error because the defendant did not object); *Shular v. United States*, 140 S. Ct. 779, 787 (2020) (explaining that a “serious drug offense” involves “manufacturing, distributing, or possessing with intent to manufacture or distribute, a controlled substance”). And on the second, the Arkansas Sovereignty Act did not deprive the court of jurisdiction. *See* 18 U.S.C. § 3231 (giving district courts original jurisdiction over all federal offenses); *see also United States v. Schostag*, 895 F.3d 1025, 1028 (8th Cir. 2018) (stating that federal law governs in the event of a conflict with state law).

Finally, we have independently reviewed the record and conclude that no other non-frivolous issues exist. *See Penson v. Ohio*, 488 U.S. 75, 82–83 (1988). We accordingly affirm the judgment of the district court and grant counsel permission to withdraw.
