

United States Court of Appeals
For the Eighth Circuit

No. 21-1086

United States of America

Plaintiff - Appellee

v.

Darnell McConnell, II

Defendant - Appellant

Appeal from United States District Court
for the Southern District of Iowa - Eastern

Submitted: December 13, 2021

Filed: March 14, 2022

[Unpublished]

Before SMITH, Chief Judge, GRUENDER and KOBES, Circuit Judges.

PER CURIAM.

Darnell McConnell II pleaded guilty to being a felon in possession of a firearm, 18 U.S.C. § 922(g)(1). He has a prior Illinois conviction for manufacture/delivery of a controlled substance (cocaine), 720 ILCS 570/401(d). The PSR recommended a base offense level enhancement under U.S.S.G. § 2K2.1(a) for the prior felony controlled substance conviction. McConnell argued that his

Illinois conviction was not a controlled substance offense. The district court¹ overruled the objection and accepted the PSR’s Guidelines calculation. McConnell appeals. We review whether a prior conviction qualifies as a controlled substance offense under the Guidelines *de novo*. United States v. Williams, 926 F.3d 966, 969 (8th Cir. 2019).

Our precedent forecloses McConnell’s argument. We recently held in United States v. Henderson, 11 F.4th 713, 719 (8th Cir. 2021), that 720 ILCS 570/401 is a “controlled substance offense” for the § 2K2.1(a) enhancement. We are bound by this decision. United States v. Riza, 267 F.3d 757, 760 (8th Cir. 2001).

The judgment of the district court is affirmed.

¹The Honorable John A. Jarvey, Chief Judge, United States Court for the Southern District of Iowa.