

United States Court of Appeals
For the Eighth Circuit

No. 22-1289

United States of America

Plaintiff - Appellee

v.

Jeffrey Colin Purdy

Defendant - Appellant

Appeal from United States District Court
for the District of Minnesota

Submitted: November 2, 2022

Filed: November 7, 2022

[Unpublished]

Before ERICKSON, GRASZ, and STRAS, Circuit Judges.

PER CURIAM.

Jeffrey Purdy received a 60-month prison sentence after he pleaded guilty to cyberstalking. See 18 U.S.C. §§ 2261(b)(5), 2261A(2). He raises a variety of challenges to his conviction and sentence. Some center on whether he was the victim of a conspiracy between investigators and prosecutors to cover up misconduct.

Others focus on whether the district court¹ should have been more receptive to his motions, including one asking to withdraw his guilty plea. In the end, none have merit.

Of the issues we can consider on appeal, the district court did not abuse its discretion in denying Purdy's numerous motions. *See United States v. Andolini*, 705 F.3d 335, 337 (8th Cir. 2013) (per curiam); *United States v. Jones*, 643 F.3d 275, 277 (8th Cir. 2011). Nor are the challenges to the restitution award or the performance of counsel properly before us. *See Manrique v. United States*, 137 S. Ct. 1266, 1271 (2017) (holding that "[t]he requirement that a defendant file a timely notice of appeal from an amended judgment imposing restitution is at least a mandatory claim-processing rule"); *United States v. Ramirez-Hernandez*, 449 F.3d 824, 826–27 (8th Cir. 2006) (explaining that this type of claim is "usually best litigated in collateral proceedings"). Having carefully reviewed these arguments and others, we accordingly affirm the judgment, dismiss the challenge to the restitution award, and deny the motion to strike the government's brief.

¹The Honorable Susan Richard Nelson, United States District Judge for the District of Minnesota.