

United States Court of Appeals
For the Eighth Circuit

No. 25-1238

United States of America

Plaintiff - Appellee

v.

Thomas Ray Kelso

Defendant - Appellant

Appeal from United States District Court
for the Eastern District of Arkansas - Central

Submitted: May 21, 2026

Filed: June 10, 2026

[Unpublished]

Before GRUENDER, KELLY, and KOBES, Circuit Judges.

PER CURIAM.

Thomas Ray Kelso appeals his conviction after a jury found him guilty of sex trafficking (3 counts) and possession with intent to distribute methamphetamine. See 18 U.S.C. § 1591(a), 21 U.S.C. § 841(a)(1), (b)(1)(C). On appeal, Kelso challenges

the district court's¹ admission of testimony from multiple witnesses as well as the court's denial of his motion for judgment of acquittal. We affirm.

We conclude the district court properly admitted the challenged witness testimony, as it was relevant to establish Kelso's intent. See United States v. Wright, 993 F.3d 1054, 1061 (8th Cir. 2021) (standard of review); United States v. Thomas, 760 F.3d 879, 883 (8th Cir. 2014) (Fed. R. Evid. 404(b) is construed broadly as a rule of inclusion and reversal is warranted only when the evidence clearly had no bearing on the case and was introduced solely to prove the defendant's propensity to commit criminal acts). Furthermore, even if the evidence was not properly admitted, we conclude any error was harmless given the overwhelming evidence supporting his conviction. See United States v. Parrow, 172 F.4th 625, 629-30 (8th Cir. 2026) (reviewing for harmless error). Finally, we conclude the district court did not err in denying Kelso's motion for judgment of acquittal, as any rational trier of fact could have concluded that E.B. was a victim of sex trafficking under section 1591(a). See United States v. Almeida-Olivas, 865 F.3d 1060, 1062 (8th Cir. 2017) (standard of review).

The judgment is affirmed.

¹The Honorable James M. Moody, Jr., United States District Judge for the Eastern District of Arkansas.