

United States Court of Appeals
For the Eighth Circuit

No. 25-2746

United States of America

Plaintiff - Appellee

v.

Anthony Kyle O'Donnell

Defendant - Appellant

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

Submitted: August 20, 2026

Filed: August 26, 2026

[Unpublished]

Before GRASZ, ERICKSON, and STRAS, Circuit Judges.

PER CURIAM.

Anthony O'Donnell appeals after he pled guilty to being a felon in possession of a firearm. He argues that the district court¹ erred by denying his motion to dismiss

¹The Honorable C.J. Williams, Chief Judge, United States District Court for the Northern District of Iowa.

the indictment and by applying a cross-reference to the provision for attempted first-degree murder when calculating his Guidelines range.

Having carefully reviewed the record and parties' arguments on appeal, we conclude the district court properly denied the motion to dismiss, as O'Donnell's arguments are foreclosed by our precedent. *See United States v. Richardson*, 175 F.4th 1012, 1013 (8th Cir. 2026) (per curiam). We also conclude the district court did not err in using the cross-reference. *See United States v. Angel*, 93 F.4th 1075, 1078-79 (8th Cir. 2024) (standard of review). Accordingly, we affirm.
