

United States Court of Appeals
For the Eighth Circuit

No. 26-1425

United States of America

Plaintiff - Appellee

v.

Arryel Skye Waters

Defendant - Appellant

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

Submitted: October 14, 2026

Filed: October 19, 2026

[Unpublished]

Before LOKEN, SHEPHERD, and ERICKSON, Circuit Judges.

PER CURIAM.

Arryel Waters appeals the below-Guidelines-range sentence the district court¹ imposed after she pleaded guilty to making a false statement when purchasing a

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

firearm. She argues the court’s application of Guidelines provisions related to people prohibited from possessing firearms was inconsistent with the Second Amendment as interpreted in N.Y. State Rifle & Pistol Ass’n v. Bruen, 597 U.S. 2 (2022), and constituted impermissible double-counting.

Upon careful review, assuming without deciding that a Bruen analysis was required in this case, we conclude the Guidelines provisions were properly applied for the reasons stated by the district court. See United States v. Turner, 781 F.3d 374, 393 (8th Cir. 2015) (construction and application of Guidelines are reviewed de novo; factual findings are reviewed for clear error); see also United States v. Baxter, 181 F.4th 898, 901-04 (8th Cir. 2026) (prohibition on possession of firearms is constitutional if it is analogically consistent with Founding-era firearms regulation; prohibition is consistent with “Terror of the People” historical analogue if defendant induced terror or posed credible threat of danger with firearm); United States v. Pappas, 715 F.3d 225, 229 (8th Cir. 2013) (double counting is prohibited only if Guidelines at issue specifically forbid it).

Accordingly, we affirm.
