

**United States Court of Appeals  
FOR THE EIGHTH CIRCUIT**

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No. 98-2940

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United States of America,

Appellee,

v.

Bobby Jack DeLauder,

Appellant.

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Appeal from the United States  
District Court for the  
Western District of Missouri

[UNPUBLISHED]

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Submitted: June 4, 1999  
Filed: June 30, 1999

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Before McMILLIAN, FAGG, and MURPHY, Circuit Judges.

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PER CURIAM.

Bobby Jack DeLauder, presently confined at the United States Medical Center for Federal Prisoners at Springfield (MCFP), appeals the final judgment entered in the District Court<sup>1</sup> for the Western District of Missouri committing him to the custody of the Attorney General for psychiatric treatment under 18 U.S.C. § 4246. Having carefully reviewed the record, we conclude the district court did not clearly err, because the MCFP mental health professionals and an independent clinical psychologist were

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<sup>1</sup>The Honorable Russell G. Clark, United States District Judge for the Western District of Missouri, adopting the report and recommendations of the Honorable James C. England, United States Magistrate Judge for the Western District of Missouri.

of the opinion that DeLauder suffers from a mental disease or defect such that his release would create a substantial risk of bodily injury to another person or serious damage to the property of another, and the government demonstrated an absence of suitable state placement. See 18 U.S.C. § 4246(d); United States v. S.A., 129 F.3d 995, 1000 (8th Cir. 1997) (standard of review), cert. denied, 118 S. Ct. 1200 (1998).

Accordingly, we affirm the judgment of the district court.

A true copy.

Attest:

CLERK, U.S. COURT OF APPEALS, EIGHTH CIRCUIT.