

United States Court of Appeals
For the Eighth Circuit

No. 18-3397

United States of America

Plaintiff - Appellee

v.

Peter Four Horns

Defendant - Appellant

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

Submitted: May 29, 2019

Filed: June 3, 2019

[Unpublished]

Before BENTON, STRAS, and KOBES, Circuit Judges.

PER CURIAM.

Peter Four Horns appeals the district court's¹ order revoking a grant of conditional release. Having jurisdiction under 28 U.S.C. § 1291, this court affirms.

In 2014, Four Horns was initially civilly committed under 18 U.S.C. § 4246. In February 2018, the court granted the government's motion for conditional release under 18 U.S.C. § 4246(e)(2), and imposed eight conditions, including that he not commit a new crime. On March 8, Four Horns was released to a South Dakota living facility. On March 20, the government filed a "Notice of Violation and Request for Warrant," requesting his arrest and confinement. The Notice included allegations that Four Horns assaulted the owner of the living facility, and threatened the police officer who attempted to question him.

After careful review of the record, this court concludes the evidence developed during the revocation proceedings supports the district court's determination that revocation and recommitment were warranted. *See* 18 U.S.C. § 4246(f); *United States v. Franklin*, 435 F.3d 885, 889-90 (8th Cir. 2006).

The judgment is affirmed. Counsel's motion to withdraw is granted.

¹The Honorable M. Douglas Harpool, United States District Judge for the Western District of Missouri, adopting the report and recommendations of the Honorable David P. Rush, United States Magistrate Judge for the Western District of Missouri.