

APPENDIX A

**UNITED STATES COURT OF APPEALS
FOR THE EIGHTH CIRCUIT**

No: 23-2482

United States of America

Plaintiff - Appellee

v.

Billy Joe Taylor

Defendant - Appellant

Appeal from U.S. District Court for the Western District of Arkansas - Ft. Smith
(2:21-cr-20030-PKH-1)

JUDGMENT

Before KELLY, GRASZ, and STRAS, Circuit Judges.

This appeal from the United States District Court was submitted on the record of the district court and briefs of the parties.

After consideration, it is hereby ordered and adjudged that the judgment of the district court in this cause is affirmed in accordance with the opinion of this Court.

July 31, 2024

Order Entered in Accordance with Opinion:
Acting Clerk, U.S. Court of Appeals, Eighth Circuit.

/s/ Maureen W. Gornik

United States Court of Appeals
For the Eighth Circuit

No. 23-2482

United States of America

Plaintiff - Appellee

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Appeal from United States District Court
for the Western District of Arkansas - Ft. Smith

Submitted: July 23, 2024

Filed: July 31, 2024

[Unpublished]

Before KELLY, GRASZ, and STRAS, Circuit Judges.

PER CURIAM.

Before Billy Taylor pleaded guilty to money laundering and conspiracy to commit health-care fraud, 18 U.S.C. §§ 1347, 1349, 1957, the district court¹ refused to release his seized assets and denied his request to change attorneys. Although he

¹The Honorable P.K. Holmes, III, United States District Judge for the Western District of Arkansas.

argues that these rulings violated his Fifth and Sixth Amendment rights, he cannot challenge them after unconditionally pleading guilty. *See Tollett v. Henderson*, 411 U.S. 258, 267 (1973) (explaining that a guilty plea “break[s] . . . the chain of events,” meaning it forecloses “independent claims relating to the deprivation of constitutional rights” that “preceded it in the criminal process”); *United States v. Dewberry*, 936 F.3d 803, 807 (8th Cir. 2019) (holding that a defendant waived a Sixth Amendment challenge by pleading guilty). Nor can he argue that his plea was unknowing or involuntary, given that he first raised the point in his reply brief. *See Jenkins v. Winter*, 540 F.3d 742, 751 (8th Cir. 2008) (“Claims not raised in an opening brief are deemed waived.”). Finally, his argument that appointed counsel provided ineffective assistance will have to await collateral review. *See United States v. Ramirez-Hernandez*, 449 F.3d 824, 827 (8th Cir. 2006) (explaining that ineffective-assistance claims are “more properly raised in a separate motion under 28 U.S.C. § 2255”). We accordingly affirm the judgment of the district court.

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(2:21-cr-20030-PKH-1)

ORDER

The petition for rehearing en banc is denied. The petition for rehearing by the panel is also denied.

November 14, 2024

Order Entered at the Direction of the Court:
Acting Clerk, U.S. Court of Appeals, Eighth Circuit.

/s/ Maureen W. Gornik

**Additional material
from this filing is
available in the
Clerk's Office.**