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IN THE SUPREME COURT OF THE UNITED STATES

RICHARD JOSEPH PRICE,

Petitioner,

v.

UNITED STATES OF AMERICA,

Respondent

PETITION FOR A WRIT OF CERTIORARI

APPENDIX

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United States v. Price, No. 24-3344,

2026 WL 820394 (8th Cir. Mar. 25, 2026) 1a

2026 WL 820394

Only the Westlaw citation is currently available.
United States Court of Appeals, Eighth Circuit.

UNITED STATES of America, Plaintiff - Appellee

v.

Richard Joseph PRICE, Defendant - Appellant

No. 24-3344

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Submitted: March 20, 2026

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Filed: March 25, 2026

Appeal from United States District Court for the Western
District of Arkansas - Fayetteville

Attorneys and Law Firms

Briana Erin Robbins, Assistant U.S. Attorney, U.S. Attorney's
Office, Western District of Arkansas, Fort Smith, AR, for
Plaintiff-Appellee.

Jose Alfaro, Assistant Federal Public Defender, Christopher
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Public Defender's Office, Western District of Arkansas,
Fayetteville, AR, for Defendant-Appellant.

Richard Joseph Price, Coleman, FL, Pro Se.

Before SMITH, GRASZ, and STRAS, Circuit Judges.

[Unpublished]

PER CURIAM.

***1** Richard Price appeals after he pleaded guilty to being a felon in possession of a firearm. He argues that the district court¹ erred by denying his motion to dismiss the indictment on Second Amendment grounds and that his base offense level was incorrectly calculated because his prior Arkansas convictions do not meet the definition of a “controlled substance offense.” Upon careful review, we conclude that the district court properly denied the motion and calculated the enhanced base offense level, as Price's arguments are foreclosed by this court's precedent. See United States v. Jackson, 110 F.4th 1120, 1125, 1129 (8th Cir. 2024), cert. denied, 145 S. Ct. 2708 (2025); see also United States v. Henderson, 11 F.4th 713, 718-19 (8th Cir. 2021).² Accordingly, we affirm.

All Citations

Not Reported in Fed. Rptr., 2026 WL 820394

Footnotes

- 1 The Honorable Timothy L. Brooks, Chief Judge, United States District Court for the Western District of Arkansas.
- 2 Even if an as-applied challenge to the felon-in-possession statute were available to Price, he could not succeed. He has dozens of criminal convictions, several of them violent. This criminal history leaves no doubt that he “present[s] a credible threat to the physical safety of others.” *United States v. Rahimi*, 602 U.S. 680, 700 (2024).