

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF  
MISSOURI, EASTERN DIVISION

Carlos Robinson v. United States of America

Robinson · No. 4:22-CV-1114 HEA · Decided January 13, 2026

SUMMARY

The United States District Court for the Eastern District of Missouri denied Carlos Robinson’s motions under 28 U.S.C. § 2255 challenging his convictions under 18 U.S.C. § 924(c). The court held that completed Hobbs Act robbery is divisible from attempted Hobbs Act robbery and remains a crime of violence under binding Eighth Circuit precedent. The court also denied the government’s motion to dismiss as moot and declined to issue a certificate of appealability.

CASE DETAILS

|                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
|-----------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| COURT                 | United States District Court for the Eastern District of Missouri, Eastern Division                                                                                                                                                                                                                                                                                                                                                                                                    |
| WRITING FOR THE COURT | Henry Edward Autrey                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| JURISDICTION          | United States District Court for the Eastern District of Missouri, Eastern Division                                                                                                                                                                                                                                                                                                                                                                                                    |
| DECIDED               | January 13, 2026                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| DOCKET                | 4:22-CV-1114 HEA                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| DISPOSITION           | denied                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| PROCEDURAL POSTURE    | Petitioner sought relief under 28 U.S.C. § 2255 from convictions and consecutive sentences under 18 U.S.C. § 924(c), arguing that the completed Hobbs Act robberies underlying those convictions were not crimes of violence after United States v. Taylor. The United States moved to dismiss based on a collateral-attack waiver and timeliness. The court denied the § 2255 motions on the merits, denied the motion to dismiss as moot, and denied a certificate of appealability. |
| STANDARD OF REVIEW    | Under 28 U.S.C. § 2255, collateral relief requires a constitutional or jurisdictional error, or a fundamental defect resulting in a complete miscarriage of justice. An evidentiary hearing is unnecessary when the motion and record conclusively show that the prisoner is not entitled to relief or when the record affirmatively refutes the factual allegations. A certificate of appealability requires a substantial showing of the denial of a constitutional right.           |

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|---------------------------|-------------------------------------------------------------------------------------------|
| <b>PRECEDENTIAL VALUE</b> | Unpublished district court opinion; persuasive rather than precedential outside the case. |
| <b>PARTIES</b>            | Carlos Robinson v. United States of America                                               |

## TOPICS

federal habeas corpus   post-conviction relief   sentencing   statutory interpretation   criminal procedure

## PRACTICE AREAS

federal post-conviction relief   criminal sentencing   federal criminal procedure

## QUESTIONS PRESENTED

1. Whether attempted and completed Hobbs Act robbery are separate, divisible offenses for purposes of determining whether the predicate offense qualifies as a crime of violence under 18 U.S.C. § 924(c)(3)(A).
2. Whether Robinson was convicted of attempted rather than completed Hobbs Act robbery in the counts underlying his § 924(c) convictions.
3. Whether completed Hobbs Act robbery categorically qualifies as a crime of violence under the elements clause of 18 U.S.C. § 924(c)(3)(A) after *United States v. Taylor*.
4. Whether Robinson was entitled to relief under 28 U.S.C. § 2255 or an evidentiary hearing.
5. Whether a certificate of appealability should issue.

## HOLDINGS

1. The Hobbs Act is divisible into separate offenses, including completed robbery and attempted robbery, because those offenses have different elements.
2. Robinson's § 924(c) convictions in Counts 2 and 4 were predicated on completed Hobbs Act robberies charged in Counts 1 and 3, not on attempted robbery.
3. Completed Hobbs Act robbery qualifies as a crime of violence under the elements clause of § 924(c)(3)(A).
4. Robinson was not entitled to vacatur, resentencing, or an evidentiary hearing because the record conclusively established that his § 924(c) convictions rested on completed Hobbs Act robberies that qualify as crimes of violence.

## KEY QUOTATIONS

*“The Supreme Court wrote that “to win a case for attempted Hobbs Act robbery the government must prove two things: (1) The defendant intended to unlawfully take or obtain personal property by means of actual or threatened force, and (2) he completed a ‘substantial step’ toward that end.”” (at 9)*

*“the Supreme Court’s decision in Taylor “does not change our position that a completed Hobbs Act robbery is a crime of violence.””* (at 15)

## FACTUAL BACKGROUND

Robinson was charged with three completed Hobbs Act robberies, one attempted Hobbs Act robbery, and four firearm-brandishing offenses under 18 U.S.C. § 924(c). Under a plea agreement, he pleaded guilty to the completed robberies in Counts 1, 3, and 7, the attempted robbery in Count 5, and the related firearm offenses in Counts 2 and 4. The firearm convictions were predicated on the completed robberies in Counts 1 and 3, and Robinson admitted during the plea colloquy that he obtained property by actual or threatened force, violence, or fear. He received a total sentence of 192 months and later challenged the § 924(c) convictions based on *United States v. Taylor*.

## PROCEDURAL HISTORY

Robinson was charged in the Eastern District of Missouri in an eight-count criminal case involving completed and attempted Hobbs Act robberies and firearm-brandishing offenses. He pleaded guilty to Counts 1 through 5 and 7, including the completed robberies underlying the § 924(c) convictions in Counts 2 and 4, and was sentenced to 192 months. He did not appeal. He filed an initial § 2255 motion on October 21, 2022, followed by an amended motion on January 27, 2023. The district court denied relief and declined to issue a certificate of appealability.

## DISPOSITION

denied

## CASES CITED

- *United States v. Robinson*, 4:17-CR-229 HEA
- *Sun Bear v. United States*, 644 F.3d 700, 704 (8th Cir. 2011)
- *Davis v. United States*, 417 U.S. 333, 346 (1974)
- *Hill v. United States*, 368 U.S. 424, 428-29 (1962)
- *Feather v. United States*, 18 F.4th 982, 989 (8th Cir. 2021)
- *United States v. Davis*, 588 U.S. 445, 449, 470 (2019)
- *Rose v. United States*, 153 F.4th 664, 668 (8th Cir. 2025)
- *United States v. Taylor*, 596 U.S. 845, 850-51 (2022)
- *United States v. Resendiz-Ponce*, 549 U.S. 102, 107 (2007)
- *Mathis v. United States*, 579 U.S. 500, 504-06 (2016)
- *Descamps v. United States*, 570 U.S. 254, 278 (2013)
- *United States v. Kent*, 44 F.4th 773, 775-76 (8th Cir. 2022)
- *United States v. Eccleston*, 2022 WL 3696664, at \*2 (10th Cir. Aug. 26, 2022)
- *United States v. Linehan*, 56 F.4th 693, 700 (9th Cir. 2022)

- United States v. Gooch, 850 F.3d 285, 291 (6th Cir. 2017)
- United States v. O'Connor, 874 F.3d 1147, 1152 (10th Cir. 2017)
- United States v. Johnson, 2023 WL 2987043, at \*4 (E.D. Mo. Apr. 18, 2023)
- Diaz v. United States, 863 F.3d 781, 783-84 (8th Cir. 2017)
- Green v. Garland, 79 F.4th 920, 923-24 (8th Cir. 2023) (per curiam)
- United States v. Moore, 2022 WL 4361998, at \*1 (8th Cir. Sept. 21, 2022) (per curiam)
- Calzone v. Summers, 942 F.3d 415, 427 n.8 (8th Cir. 2019)
- United States v. Fluckes, 2023 WL 2292270, at \*1 (8th Cir. Mar. 1, 2023) (per curiam)
- Hood v. United States, 342 F.3d 861, 864 (8th Cir. 2003)
- United States v. Stoney, 62 F.4th 108, 114 (3d Cir. 2023)
- United States v. Green, 67 F.4th 657, 671 (4th Cir. 2023)
- United States v. McCoy, 58 F.4th 72, 74 (2d Cir. 2023)
- United States v. Baker, United States v. Baker, 49 F.4th 1348, 1360 (10th Cir. 2022)
- Tiedeman v. Benson, 122 F.3d 518, 522-23 (8th Cir. 1997)
- Miller-El v. Cockrell, 537 U.S. 322, 335-36, 338 (2003)
- Slack v. McDaniel, 529 U.S. 473, 484 (2000)