

UNITED STATES COURT OF APPEALS FOR THE EIGHTH CIRCUIT

United States v. Samuel Peter McElmeel

McElmeel · No. 25-1558 · Decided March 9, 2026

SUMMARY

The Eighth Circuit dismissed as moot Samuel McElmeel’s appeal from a district court finding that he was incompetent to stand trial. The court held that the subsequent finding that McElmeel’s competency had been restored eliminated the need for further appellate relief and that his asserted collateral consequences were speculative.

CASE DETAILS

COURT	United States Court of Appeals for the Eighth Circuit
WRITING FOR THE COURT	KELLY, Circuit Judge; GRUENDER, Circuit Judge; ERICKSON, Circuit Judge
JURISDICTION	United States Court of Appeals for the Eighth Circuit
DECIDED	March 9, 2026
DOCKET	25-1558
DISPOSITION	dismissed
PROCEDURAL POSTURE	McElmeel appealed the district court's finding that he was incompetent to stand trial. While the appeal was pending, the district court found him competent and set the case for trial; the Eighth Circuit ordered supplemental briefing on mootness and dismissed the appeal.
STANDARD OF REVIEW	The court reviewed whether the appeal presented a live controversy and whether McElmeel retained a legally cognizable interest in its outcome.
PRECEDENTIAL VALUE	published
PARTIES	Samuel Peter McElmeel v. United States of America

TOPICS

- mootness
- criminal procedure
- appellate procedure
- appellate jurisdiction

PRACTICE AREAS

- criminal procedure
- appellate procedure

QUESTIONS PRESENTED

1. Whether McElmeel's appeal from the district court's initial incompetency determination became moot after the district court found that his competency had been restored.
2. Whether the initial incompetency determination created a continuing legally cognizable interest based on possible future competency proceedings, altered burdens of proof, stigma, reputational harm, or a potential effect on his right to possess firearms.

HOLDINGS

1. The appeal is moot because the district court's subsequent finding that McElmeel was competent provided the relief sought and eliminated the need for further judicial action.
2. The prior incompetency determination does not preserve a live controversy because competency must be determined based on the defendant's current mental state, and competency may change over time.
3. The reasoning in *United States v. Evans* does not preserve McElmeel's appeal because the district court had already found that his competency was restored, so he was no longer subject to the altered burden of proof under § 4241(e).
4. Speculative and untethered allegations of stigma, reputational damage, and a possible future effect on firearm possession do not establish a legally cognizable interest sufficient to avoid mootness.

KEY QUOTATIONS

“A case becomes moot . . . ‘when the issues presented are no longer live or the parties lack a legally cognizable interest in the outcome.’” (at 2)

“Here, the district court’s order finding McElmeel competent provided the requested relief and eliminated the need for further court action.” (at 2)

“McElmeel, unlike the defendant in Evans, is no longer subject to the altered burden of proof in § 4241(e).” (at 3)

“In this posture and on this record, we conclude that McElmeel “lack[s] a legally cognizable interest in the outcome” of the issue appealed.” (at 4)

FACTUAL BACKGROUND

McElmeel was indicted on two counts of interstate transmission of a threat. Following a mental-health evaluation and competency hearing, the district court found him incompetent to stand trial and ordered hospitalization and treatment for restoration of competency. While his appeal was pending, a forensic psychologist concluded that he was able to understand the proceedings and assist in his defense, and the district court subsequently found him competent and set the case for trial.

PROCEDURAL HISTORY

McElmeel was indicted on two counts of interstate transmission of a threat under 18 U.S.C. § 875(c). After a competency hearing, the district court found him incompetent and ordered hospitalization and treatment for

restoration of competency under 18 U.S.C. § 4241(d). During the appeal, the district court held a second competency hearing, found that McElmeel's competency had been restored, and set the case for trial. The Eighth Circuit concluded that the changed circumstances eliminated any live controversy and dismissed the appeal.

DISPOSITION

dismissed

CASES CITED

- Prowse v. Payne, 984 F.3d 700, 702 (8th Cir. 2021)
- Already, LLC v. Nike, Inc., 568 U.S. 85, 91 (2013)
- Hillesheim v. Holiday Stationstores, Inc., 903 F.3d 786, 791 (8th Cir. 2018)
- United States v. Ghane, 593 F.3d 775, 779-80 (8th Cir. 2010)
- United States v. Jimenez-Villasenor, 270 F.3d 554, 559 (8th Cir. 2001)
- Lyons v. Luebbbers, 403 F.3d 585, 593 (8th Cir. 2005)
- United States v. Evans, 690 F.3d 940, 941-43 (8th Cir. 2012)

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