

**Case Law by Circuit: Prior Conviction with a Minor Victim**

All courts to consider the issue (in the context of a § 2250 case) have held that a circumstance-specific approach applies.

- **Second Circuit**
  - U.S. v. Piper, 2013 WL 4052897 (D. Vt. 8/12/13)
- **Fourth Circuit**
  - U.S. v. Mixell, 806 Fed. Appx. 180 (4th Cir. 2020)
  - U.S. v. Vanderhost, 688 Fed. Appx. 185 (4th Cir. 2017)
  - U.S. v. Price, 777 F.3d 700 (4th Cir. 2015)
- **Fifth Circuit**
  - U.S. v. Roberts, 669 Fed. Appx. 746 (5th Cir. 2016)
  - U.S. v. Schofield, 802 F.3d 722 (5th Cir. 2015)
  - U.S. v. Baptiste, 34 F. Supp. 3d 662 (W.D. Tex. 2014)
- **Seventh Circuit**
  - U.S. v. Thayer, 40 F.4th 797 (7th Cir. 2022)
  - Harder v. U.S., 2021 WL 3418958 (W.D. Wisc. 8/5/21)
  - U.S. v. Ellickson, Case No. 2:20-cr-00227 (E.D. Wisc. 2/12/21) (R & R)
- **Eighth Circuit**
  - U.S. v. Burgee, 988 F.3d 1054 (8th Cir. 2021)
  - U.S. v. Mulverhill, 833 F.3d 925 (8th Cir. 2016)
  - U.S. v. Hill, 820 F.3d 1003 (8th Cir. 2016)
  - Barker v. U.S., 2022 WL 1749252 (W.D. Mo. 5/31/22)
- **Ninth Circuit**
  - U.S. v. Dailey, 941 F.3d 1183 (9th Cir. 2019)
  - U.S. v. Byun, 539 F.3d 982 (9th Cir. 2008)
  - U.S. v. Salazar, 2021 WL 2366086 (D. Or. 6/9/21)
  - U.S. v. Forte, 2019 WL 6137445 (D. Alaska 11/19/19)
  - U.S. v. Pope, 2019 WL 1919164 (D. Nev. 4/30/19)
  - U.S. v. Smith, 2016 WL 1466900 (D. Or. 4/13/16)
- **Eleventh Circuit**
  - U.S. v. Lloyd, 809 Fed. Appx. 750 (11th Cir. 2020)
  - U.S. v. Dodge, 597 F.3d 1347 (11th Cir. 2010)

**Prior Conviction with an Adult Victim**

All courts to consider the issue (in the context of a § 2250 case) have held that a categorical (or modified categorical) approach applies.

- **Second Circuit**
  - U.S. v. George, 223 F. Supp.3d 159 (S.D.N.Y. 2016)
- **Third Circuit**
  - U.S. v. Icker, 13 F.4th 321 (3d. Cir. 2021)
- **Fourth Circuit**
  - U.S. v. Helton, 944 F.3d 198 (4th Cir. 2019)
  - U.S. v. Faulls, 821 F.3d 502 (4th Cir. 2016)
- **Fifth Circuit**
  - U.S. v. Gonzalez-Medina, 757 F.3d 425 (5th Cir. 2014)
- **Eighth Circuit**
  - U.S. v. Marrowbone, 2014 WL 6694781 (D.S.D. 11/26/2014)
- **Ninth Circuit**
  - U.S. v. Westerman, 705 Fed. Appx. 651 (9th Cir. 2017)
- **Tenth Circuit**
  - U.S. v. Sumner, 2015 WL 1410495 (N.D. Okla. 3/26/15)
- **Eleventh Circuit**
  - U.S. v. Vineyard, 945 F.3d 1164 (11th Cir. 2019)
  - U.S. v. Bemis, 2020 WL 1046827 (M.D. Fla. 3/4/20)