

UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT

No. 23-3183

UNITED STATES OF AMERICA

v.

VINCENT CHAN-GUILLEN,
Appellant

On Appeal from the U.S. District Court, D.N.J.
Judge Stanley R. Chesler, No. 2:20-cr-00689-002

Before: PHIPPS, FREEMAN, and BOVE, *Circuit Judges*
Submitted: May 29, 2026; Filed: Sep. 14, 2026

NONPRECEDENTIAL OPINION*

FREEMAN, *Circuit Judge*. A jury convicted Vincent Chan-Guillen of multiple crimes related to an armed robbery spree, and the District Court sentenced him to 407 months' imprisonment. Chan-Guillen appeals the judgment, and his counsel has moved to withdraw pursuant to *Anders v. California*, 386 U.S. 738 (1967). For the following reasons, we will grant counsel's motion to withdraw and affirm the judgment.

I.

Beginning in August 2018, Chan-Guillen and two co-conspirators committed a series of armed robberies at convenience and liquor stores in New York and New Jersey. Each robbery was captured on the respective store's video surveillance.

* This disposition is not an opinion of the full Court and, under I.O.P. 5.7, is not binding precedent.

In November 2018, police in New Jersey pulled Chan-Guillen over for a traffic violation and learned he was driving with a suspended license, had an open warrant for his arrest, and was on New Jersey parole. They arrested Chan-Guillen and impounded the vehicle he was driving. Chan-Guillen later consented to a search of the vehicle by parole officers, who recovered a gun, gloves, and a black hooded jacket that appeared to be the same as the one worn several times on the surveillance footage capturing the robberies. The gun was later connected to one of the robberies in which Chan-Guillen fired a shot at the store owner.

A superseding indictment charged Chan-Guillen with conspiracy to commit Hobbs Act robbery (Count 1); conspiracy to use and carry a firearm during and in relation to a crime of violence (Count 2); three counts of Hobbs Act robbery (Counts 3, 5, and 8); one count of attempted Hobbs Act robbery (Count 7); three counts of brandishing a firearm during and in relation to a crime of violence (Counts 4, 6, and 9); and unlawful possession of a firearm by a convicted felon (Count 10). Chan-Guillen moved to suppress the evidence recovered from his vehicle, and the District Court denied the motion for two reasons: reasonable suspicion supported the search, and Chan-Guillen consented to it.

At trial, the government presented voluminous evidence connecting Chan-Guillen with the robberies. In addition to testimony from law enforcement officers and victims, the government presented testimony from Chan-Guillen's co-conspirators, both of whom testified to Chan-Guillen's role in the offenses and identified Chan-Guillen as the gunman in nine robberies. The government also played surveillance footage that showed Chan-

Guillen brandishing a gun during several robberies and firing a gun during one of the robberies.

The jury returned a guilty verdict on all ten counts, and the District Court imposed a within-Guidelines sentence of 407 months' imprisonment. Chan-Guillen timely appealed. His counsel then moved to withdraw under *Anders*, and Chan-Guillen filed a pro se brief on the merits of his appeal.

II.¹

In support of her *Anders* motion, Chan-Guillen's counsel filed a brief stating that, upon review of the record, this appeal presents no issue of even arguable merit. *See* 3d Cir. L.A.R. 109.2(a). Thus, we must determine “(1) whether counsel adequately fulfilled [our local] rule's requirements” for *Anders* briefs; and “(2) whether an independent review of the record presents any nonfrivolous issues.” *United States v. Youla*, 241 F.3d 296, 300 (3d Cir. 2001). An issue is frivolous if it “lacks any basis in law or fact.” *McCoy v. Ct. of Appeals of Wis.*, 486 U.S. 429, 438 n.10 (1988).

When we conclude at Step 1 that counsel has satisfied her duties, we may limit our Step 2 review of the record to the issues counsel raised. *United States v. Langley*, 52 F.4th 564, 569 (3d Cir. 2022). At both steps, our review is plenary. *United States v. Brookins*, 132 F.4th 659, 666 (3d Cir. 2025).

¹ The District Court had jurisdiction under 18 U.S.C. § 3231. We have jurisdiction pursuant to 18 U.S.C. § 3742(a) and 28 U.S.C. § 1291.

A

Chan-Guillen's counsel has satisfied her obligations under *Anders*. In her *Anders* brief, counsel thoroughly discusses the proceedings, from indictment through sentencing. She identifies several areas where one might assert appellate arguments (whether preserved or subject to plain-error review) and explains why any arguments would be frivolous.

First, counsel explained that the superseding indictment met all the requirements of Federal Rule of Criminal Procedure 7, so any challenge to its sufficiency would be frivolous.

Next, counsel addressed Chan-Guillen's preserved challenge to the denial of his motion to suppress evidence recovered from the vehicle. She reasoned that the District Court's two independent bases for the denying that are sound. Counsel explained that the District Court's reasonable-suspicion conclusion is based on several findings of fact, each of which is grounded in the record, so it would be frivolous to challenge those findings as clearly erroneous. *See United States v. Rosario*, 180 F.4th 512, 524 n.21 (3d Cir. 2026) (stating the clear-error standard for a district court's findings of fact). Counsel also explained that, under this Court's precedent, there is no non-frivolous argument that the facts found by the District Court do not amount to reasonable suspicion to support the parole search.

Counsel also listed the District Court's factual findings in support of its conclusion that Chan-Guillen freely and voluntarily consented to the search of the vehicle. She explained that each factual finding was grounded in the record, so none of them can be

challenged as clearly erroneous. She also asserted that there is no non-frivolous challenge to the conclusions the District Court reached based on those facts.

Turning to the trial record, counsel noted that jury selection “proceeded without incident” and Chan-Guillen made no objections. *Anders* Br. 40. She asserted that the record of jury selection reveals no issues that would arguably rise to the level of plain error. She also noted that none of the objections Chan-Guillen raised during the presentation of evidence were overruled, and the record reveals no non-frivolous arguments that could be raised on plain-error review.

Counsel next reviewed the trial transcript and explained that, viewed in the light most favorable to the government, there is no non-frivolous argument that the evidence for any count was insufficient. *See United States v. Fallon*, 61 F.4th 95, 113–14 (3d Cir. 2023) (“We review sufficiency of the evidence challenges under a deferential standard, viewing the evidence in the light most favorable to the prosecution and asking whether any rational trier of fact could have found the essential elements of the offense beyond a reasonable doubt.”).

Counsel then turned to Chan-Guillen’s preserved challenge to the jury charge about *Pinkerton* conspiracy liability.² She cited our precedent that, under *Pinkerton*, “each member of the charged conspiracy is liable for the substantive crimes his coconspirators

² *See United States v. Lopez*, 271 F.3d 472, 480 (3d Cir. 2001) (“[T]he *Pinkerton* doctrine[] permits the government to prove the guilt of one defendant through the acts of another committed within the scope of and in furtherance of a conspiracy of which the defendant was a member, provided the acts are reasonably foreseeable as a necessary or natural consequence of the conspiracy.”).

commit in furtherance of the conspiracy even if he neither participates in his co-conspirators' crimes nor has any knowledge of them" absent one of three exceptions. *United States v. Bailey*, 840 F.3d 99, 112 (3d Cir. 2016).³ And counsel observed that Chan-Guillen's trial counsel made no argument that any of the exceptions applied, so there is no non-frivolous argument the District Court erred by giving the *Pinkerton* instruction over Chan-Guillen's objection.

Regarding the sentencing proceedings, counsel explained that the District Court complied with the three procedural steps our Court requires, *see United States v. Flores-Mejia*, 759 F.3d 253, 256 (3d Cir. 2014) (en banc), and it complied with the requirements of Federal Rule of Criminal Procedure 32. She noted that Chan-Guillen lodged no objections to the District Court's Guidelines determinations, and there was no basis upon which he could have done so. Additionally, counsel pointed out that the District Court provided a thorough explanation for its sentence, which was within the Guidelines range and below the statutory maximum sentence of life imprisonment.

³ The exceptions are "(1) the substantive offense committed by one of the conspirators was not in fact done in furtherance of the conspiracy, (2) the substantive offense committed by one of the conspirators did not fall within the scope of the unlawful project, or (3) the substantive offense committed by one of the conspirators could not be reasonably foreseen as a necessary or natural consequence of the unlawful agreement." *Bailey*, 840 F.3d at 112 (citation modified).

Counsel’s brief demonstrates that she conducted a conscientious examination of the record in search of appealable issues. Accordingly, we confine our review to the issues counsel identified in her *Anders* brief. *See Langley*, 52 F.4th at 569.⁴

B

Our independent review of the record confirms counsel’s assessment of the issues addressed in the *Anders* brief. We concur with counsel’s thorough discussion of those issues and have little to add. But we also have assured ourselves that the District Court’s jurisdiction was sound where the superseding indictment charged Chan-Guillen with federal criminal offenses. *See* 18 U.S.C. § 3231. Additionally, because Chan-Guillen did not preserve a challenge to the sufficiency of the evidence or the procedural reasonableness

⁴ Although we do not reach the merits of the arguments in Chan-Guillen’s pro se brief, we have reviewed that brief, and it does not cause us to doubt the adequacy of counsel’s *Anders* brief. *See Langley*, 52 F.4th at 571–73.

The pro se brief raises several arguments. Two of them assert that the District Court erred when it declined to suppress Chan-Guillen’s statements to police. But the District Court *granted* the motion to suppress Chan-Guillen’s statements. Another argument pertains to the District Court’s ruling that Chan-Guillen consented to the search of the vehicle—a ruling that counsel addressed at length in her *Anders* brief.

Chan-Guillen also asserts that he personally did not receive any discovery until months after his conviction. But he was represented by counsel throughout his trial proceedings, and he does not assert that counsel was not provided discovery. *Cf. United States v. Johnson*, 816 F.2d 918, 924 (3d Cir. 1987) (recounting that “due process requires the prosecution turn over to *the defense* all inculpatory evidence requested and all exculpatory evidence” (emphasis added)). To the extent that Chan-Guillen argues that the government violated *Brady v. Maryland*, 373 U.S. 83 (1963) by not disclosing evidence to his attorney, there is no record supporting that argument, so it is not suitable for direct appeal. *See United States v. Green*, 556 F.3d 151, 154 n.2 (3d Cir. 2009).

Chan-Guillen’s other arguments—including his assertion that it was improper for the District Court to confer with counsel about jury instructions—do not demonstrate any failures by appellate counsel, either. *Cf. Fed. R. Crim. P. 30* (addressing the parties’ ability to request or object to jury instructions).

of his sentence, any appellate arguments about those topics would be subject to plain-error review. *See United States v. Wolfe*, 245 F.3d 257, 260–61 (3d Cir. 2001) (sufficiency of the evidence); *Flores-Mejia*, 759 F.3d at 258 (procedural reasonableness of the sentence). Our review of the record uncovered no arguments that could arguably satisfy that standard.

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For the reasons set forth above, we will grant counsel’s motion to withdraw and affirm the judgment.