

NONPRECEDENTIAL DISPOSITION
To be cited only in accordance with FED. R. APP. P. 32.1

United States Court of Appeals
For the Seventh Circuit
Chicago, Illinois 60604

Submitted February 10, 2026
Decided February 20, 2026

Before

FRANK H. EASTERBROOK, *Circuit Judge*

DAVID F. HAMILTON, *Circuit Judge*

DORIS L. PRYOR, *Circuit Judge*

No. 25-1616

UNITED STATES OF AMERICA,
Plaintiff-Appellee,

v.

VALENTINO COLIC,
Defendant-Appellant.

Appeal from the United States District
Court for the Southern District of
Illinois.

No. 3:23-CR-30130-SMY-2

Staci M. Yandle,
Chief Judge.

ORDER

After Valentino Colic pleaded guilty to charges of wire fraud and identity theft, he was sentenced to 145 months' imprisonment and ordered to pay over \$1 million in restitution. He appeals, but his appointed counsel asserts that the appeal is frivolous and moves to withdraw. *See Anders v. California*, 386 U.S. 738, 744 (1967). Counsel, however, overlooks a potential challenge to the voluntariness of the plea based on the district court's failure to advise Colic—a lawful permanent resident originally from

Bosnia—of the potential immigration consequences of a conviction. Because counsel’s brief fails to address this omission, we deny the motion.

For nearly five years, Colic ran a scheme in southern Illinois with three codefendants to purchase vehicles with fake checks and resell them at a profit. During these transactions, Colic often assumed the identities of past victims by using their Facebook profiles, driver’s licenses, and signatures.

In 2023, a grand jury charged Colic with one count of conspiracy to commit wire fraud, 18 U.S.C. § 1349; two counts of wire fraud, *id.* § 1343; two counts of interstate transportation of property taken by fraud, *id.* § 2314; and six counts of aggravated identity theft, *id.* § 1028A. Colic pleaded guilty to all eleven counts and waived his right to appeal his conviction or any aspect of his sentence unless the sentence exceeded the guidelines range. The district court accepted the plea after finding that it was knowing and voluntary and supported by an adequate factual basis.

At the sentencing hearing, the district court adopted the presentence investigation report and imposed a top-of-the-guidelines sentence of 145 months’ imprisonment and 4 years’ supervised release.

On appeal, counsel considers whether Colic could plausibly challenge the voluntariness of his plea. Because Colic did not move to withdraw his plea in the district court, our review would be limited to plain error. *United States v. Larry*, 104 F.4th 1020, 1022 (7th Cir. 2024). Counsel identifies four omissions in the plea colloquy and correctly concludes that they would be deemed harmless. The district court did not inform Colic that (1) he had the right to plead not guilty and to persist in that plea; (2) he had the right to cross-examine witnesses and to testify and present evidence at trial; (3) by pleading guilty he was waiving those trial rights; or (4) the court was required to impose restitution. *See* FED. R. CRIM. P. 11(b)(1)(B), (E), (F), (K). But we would consider these omissions to be harmless because the admonishments were included in his plea agreement. *See* FED. R. CRIM. P. 11(h); *United States v. Driver*, 242 F.3d 767, 771 (7th Cir. 2001).

Counsel does not, however, consider the significance of the district court’s failure to advise Colic of the potential immigration consequences of a conviction. *See* FED. R. CRIM. P. 11(b)(1)(O); *United States v. Zacahua*, 940 F.3d 342, 345 (7th Cir. 2019). Unlike the other omissions in the colloquy, Colic’s plea agreement did not refer to the potential immigration consequences. Because he is not a citizen, Colic’s guilty plea could put him at risk of removal, which “is an integral part—indeed, sometimes the most important

part—of the penalty that may be imposed on noncitizen defendants who plead guilty.” *Zacahua*, 940 F.3d at 345 (quoting *Padilla v. Kentucky*, 559 U.S. 356, 364 (2010)). Given our plain-error review, however, Colic may obtain relief only if he shows a reasonable probability that he would not have entered the plea but for the error. *See id.* (citing *United States v. Dominguez Benitez*, 542 U.S. 74, 76 (2004)).

For now, we offer no view on whether such an argument would be nonfrivolous. We decide only that counsel has overlooked an error “that might arguably support the appeal.” *Anders*, 386 U.S. at 744. Counsel’s motion to withdraw is therefore DENIED, and counsel is ORDERED to file, within 60 days, either a supplemental *Anders* brief discussing the Rule 11(b)(1)(O) omission or a brief on the merits if counsel concludes that the issue is nonfrivolous.