

United States Court of Appeals
FOR THE EIGHTH CIRCUIT

No. 01-3317

United States of America,

Appellee,

v.

Conrad Jules Braun,

Appellant.

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* Appeal from the United States
* District Court for the
* Western District of Missouri.
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* [UNPUBLISHED]
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Submitted: June 5, 2002
Filed: June 10, 2002

Before BOWMAN, BEAM, and BYE, Circuit Judges.

PER CURIAM.

Conrad Jules Braun appeals the sentence imposed by the district court¹ upon revocation of his supervised release, arguing that the district court erred in sentencing him in excess of the Guidelines range.

Following a revocation hearing, the district court found Braun had committed three violations of his supervised release conditions. In sentencing Braun to 24 months imprisonment, the statutory maximum authorized under 18 U.S.C.

¹The Honorable Nanette K. Laughrey, United States District Judge for the Western District of Missouri.

§ 3583(e)(3) based on Braun's underlying offenses, the court noted that Braun was not amenable to supervised release and a maximum sentence was necessary for the safety of the community. Upon careful review of the record, we conclude the district court did not abuse its discretion in imposing a sentence above the suggested Guidelines range. See U.S.S.G. § 7B1.4 (range of imprisonment available upon revocation); United States v. Shaw, 180 F.3d 920, 922 (8th Cir. 1995) (per curiam) (Chapter 7 Guidelines are advisory and non-binding). Braun's revocation prison sentence did not exceed the maximum prison term authorized under section 3583(e)(3), and the court's stated reasons for imposing the 24-month term reflect consideration of the factors set forth in 18 U.S.C. §§ 3553 and 3583. See United States v. Grimes, 54 F.3d 489, 492 (8th Cir. 1995) (revocation sentence reviewed for abuse of discretion).

Braun's other arguments are without merit. Accordingly, we affirm, grant counsel's motion to withdraw, and deny all other pending motions.

A true copy.

Attest:

CLERK, U.S. COURT OF APPEALS, EIGHTH CIRCUIT.