

**United States Court of Appeals**  
**FOR THE EIGHTH CIRCUIT**

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No. 04-2954

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United States of America,

Appellee,

v.

Shawn Duane Hall,

Appellant.

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\* Appeal from the United States  
\* District Court for the  
\* Eastern District of Missouri.  
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\* [UNPUBLISHED]  
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Submitted: October 31, 2005

Filed: November 4, 2005

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Before MURPHY, COLLOTON, and BENTON, Circuit Judges.

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PER CURIAM.

Shawn Hall pleaded guilty to possessing with intent to distribute more than 4 grams of a mixture containing cocaine base, in violation of 21 U.S.C. § 841(a)(1) and (b)(1)(C) (a Class C felony), and was sentenced to 57 months imprisonment and 3 years supervised release. See 21 U.S.C. § 841(a)(1), (b)(1)(C); 18 U.S.C. § 3559(a)(3). While he was serving his supervised release, Hall was indicted for and pleaded guilty to a federal drug conspiracy charge. The district court<sup>1</sup>--finding that the commission of the new offense violated Hall's release conditions--revoked

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<sup>1</sup>The Honorable Carol E. Jackson, Chief Judge, United States District Court for the Eastern District of Missouri.

supervised release and sentenced Hall to 24 months imprisonment, to run consecutively to the sentence that had been imposed for the new drug felony offense. Hall appeals.

We conclude revocation was proper because Hall pleaded guilty to committing another felony, which violated his release condition prohibiting him from committing another crime, and the district court considered appropriate factors in imposing the revocation sentence. See 18 U.S.C. § 3583(e)(3) (court may revoke supervised release if it finds by preponderance of evidence that defendant violated condition; authorizing up to 2 years imprisonment upon revocation of supervised release where original offense is Class C felony; requiring consideration of 18 U.S.C. § 3553(a) factors); U.S.S.G. § 7B1.3(f). We also conclude that the sentence is not unreasonable. See United States v. Tyson, 413 F.3d 824, 825 (8th Cir. 2005) (per curiam) (standard of review).

Accordingly, we affirm, and we grant counsel's motion to withdraw.

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