

United States Court of Appeals
FOR THE EIGHTH CIRCUIT

No. 07-1325

United States of America,

Appellee,

v.

Billy S. Holbert,

Appellant.

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Appeal from the United States
District Court for the
Eastern District of Arkansas.

[UNPUBLISHED]

Submitted: April 20, 2007

Filed: April 25, 2007

Before SMITH, GRUENDER, and SHEPHERD, Circuit Judges.

PER CURIAM.

In this appeal from the district court's¹ revocation of Billy S. Holbert's supervised release, his counsel has filed a brief under Anders v. California, 386 U.S. 738 (1967), and has moved to withdraw, suggesting that there are no non-frivolous issues. After reviewing the record independently pursuant to Penson v. Ohio, 488 U.S. 75 (1988), we order the judgment amended as follows: Holbert's revocation prison sentence remains 1 year and 1 day, but his ensuing term of supervised release

¹The Honorable James M. Moody, United States District Judge for the Eastern District of Arkansas.

will be 23 months minus 1 day. See 18 U.S.C. § 3583(h). In all other respects, we affirm the judgment of the district court. We grant counsel's withdrawal motion.
