

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

No. 07-3525

United States of America,

Appellee,

v.

Brenda Louise Niehaus, also known as
Brenda Louise Alexander, also known
as Linda Alexander, also known as
Linda Louise Alexander,

Appellant.

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* Appeal from the United States
* District Court for the
* Northern District of Iowa.
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* [UNPUBLISHED]
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Submitted: August 20, 2008
Filed: September 12, 2008

Before MURPHY, BYE, and BENTON, Circuit Judges.

PER CURIAM.

After revoking her supervised release, the district court¹ sentenced Brenda Louise Niehaus to 7 days in prison and 1 year of supervised release with a special condition requiring her to reside in a residential re-entry center for up to 120 days. On appeal, Niehaus argues that her confinement in a residential re-entry center is

¹The Honorable Linda R. Reade, Chief Judge, United States District Court for the Northern District of Iowa.

unreasonable, and that her revocation sentence is greater than necessary to meet the statutory goals of sentencing.

Niehaus's challenge to this condition of her sentence is moot because she has been released from the residential re-entry center. *Cf. Spencer v. Kemna*, 523 U.S. 1, 5-7, 18 (1998) (habeas challenge to parole revocation became moot upon expiration of sentence). After careful review, we conclude that her revocation sentence, which is within statutory limits, *see* 18 U.S.C. § 3583, is not unreasonable, *see United States v. Tyson*, 413 F.3d 824, 825-26 (8th Cir. 2005) (per curiam) (court reviews revocation sentences under "unreasonableness" standard announced in *United States v. Booker*, 543 U.S. 220, 258-63 (2005)); *see also United States v. Long Soldier*, 431 F. 3d 1120, 1123 (8th Cir. 2005) (reasonableness of sentence is reviewed for abuse of discretion, which occurs if court fails to consider relevant factor that should have received significant weight, gives significant weight to improper or irrelevant factor, or considers only appropriate factors but commits clear error of judgment in weighing factors).

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