

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

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No. 09-2970

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United States of America,

Appellee,

v.

Scott Brocail,

Appellant.

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

[UNPUBLISHED]

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Submitted: January 15, 2010

Filed: January 25, 2010

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Before WOLLMAN, COLLOTON, and GRUENDER, Circuit Judges.

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PER CURIAM.

In this appeal following revocation of his supervised release, Scott Brocail challenges the district court's<sup>1</sup> revocation sentence, arguing that it is unreasonable and does not reflect proper consideration of the sentencing factors listed in 18 U.S.C. § 3553(a). Upon careful review, we conclude that the revocation sentence is not unreasonable. See United States v. Tyson, 413 F.3d 824, 825 (per curiam) (standard of review). The sentence is within the statutory limits of 18 U.S.C. § 3583(e) and the range recommended by the Sentencing Guidelines, see United States v. Perkins, 526

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<sup>1</sup>The Honorable Jimm Larry Hendren, Chief Judge, United States District Court for the Western District of Arkansas.

F.3d 1107, 1110 (revocation sentence within Guidelines range is accorded presumption of substantive reasonableness on appeal), and the record reflects that the district court considered and applied appropriate section 3553(a) factors, see id. (district court need not make specific findings on § 3553(a) factors).

Accordingly, we affirm, and we grant counsel leave to withdraw.

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