

United States Court of Appeals
FOR THE EIGHTH CIRCUIT

No. 09-2842

United States of America,

Appellee,

v.

Robert Orlando Bolden,

Appellant.

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Appeal from the United States
District Court for the
Northern District of Iowa.

[UNPUBLISHED]

Submitted: April 14, 2010
Filed: April 19, 2010

Before LOKEN, BYE, and SHEPHERD, Circuit Judges.

PER CURIAM.

Robert Bolden challenges the reasonableness of the sentence the district court¹ imposed after revoking his supervised release. Upon careful review, we hold that the district court did not clearly err in finding by a preponderance of the evidence that Bolden had violated the conditions of his supervised release, see United States v. Carothers, 337 F.3d 1017, 1019 (8th Cir. 2003) (government must prove by

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

preponderance of evidence that defendant violated supervised release condition; district court's finding that violation occurred is reviewed for clear error; district court's credibility determinations at supervised release revocation hearing are virtually unreviewable on appeal), and we conclude that the revocation sentence is not unreasonable, see United States v. Tyson, 413 F.3d 824, 825 (8th Cir. 2005) (per curiam) (revocation sentences are reviewed for unreasonableness in accordance with United States v. Booker, 543 U.S. 220 (2005)).

Accordingly, we affirm the district court's judgment. We grant counsel's motion to withdraw, subject to counsel informing Bolden about procedures for seeking rehearing or filing a petition for certiorari.
