

United States Court of Appeals
FOR THE EIGHTH CIRCUIT

No. 11-3211

United States of America,

Appellee,

v.

Martay Love,

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* [UNPUBLISHED]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: May 7, 2012
Filed: June 29, 2012

Before WOLLMAN, MELLOY, and SMITH, Circuit Judges.

PER CURIAM.

Martay Love brings this appeal following entry of judgment by the district court¹ revoking his supervised release and sentencing him to serve 12 months and 1 day in prison. For reversal, he argues that the district court lacked jurisdiction to revoke his supervised release, that the court abused its discretion in denying his request to present witnesses at the revocation hearing, and that he received ineffective assistance of counsel.

¹The Honorable Catherine D. Perry, Chief Judge, United States District Court for the Eastern District of Missouri.

We reject these arguments. The district court had jurisdiction to revoke Love's supervised release because the court found by a preponderance of the evidence that Love had violated several of his supervised-release conditions. See 18 U.S.C. § 3583(e)(3). Further, we find that the district court did not abuse its discretion in denying counsel's request for additional time to obtain witnesses and prepare for the hearing: counsel had stated that morning that Love was prepared to admit the violations; counsel did not indicate upon making the request why he had been unable to prepare, who was needed to testify, or what their testimony would be; and he was able to cross-examine the supervising officer. See United States v. Cotroneo, 89 F.3d 510, 513-14 (8th Cir. 1996). Finally, the ineffective-assistance claim is undeveloped and not properly before us. See United States v. Hughes, 330 F.3d 1068, 1069 (8th Cir. 2003).

Accordingly, we affirm the judgment of the district court, grant counsel's motion to withdraw, and deny Love's appellate motions.