

United States Court of Appeals
For the Eighth Circuit

No. 12-2382

United States of America

Plaintiff - Appellee

v.

Luis Rodriguez

Defendant - Appellant

Appeal from United States District Court
for the Western District of Missouri - Kansas City

Submitted: February 7, 2013

Filed: February 13, 2013

[Unpublished]

Before LOKEN, MELLOY, and BENTON, Circuit Judges.

PER CURIAM.

After Luis Rodriguez had served a portion of the supervised-release term imposed as part of his sentence for a federal bank-robbery offense, he moved for early termination of supervised release, arguing that he had adjusted well to supervision, had completed all required programs, and had met all rules and regulations. The

district court¹ denied the motion, and this appeal followed. After careful review of the record, counsel's brief, and Rodriguez's pro se brief, we affirm.

In the proceedings below, both the government and the probation officer who was supervising Rodriguez opposed early termination. The probation officer, in particular, noted in his written report to the court that Rodriguez had failed to make several payments toward the large restitution obligation that was part of his criminal sentence and incorporated in his supervised-release conditions. Noting that it had considered the record and the parties' arguments, the court stated that it had decided to deny early termination, in part because the court believed that supervised release would provide Rodriguez with more time and structure to meet his restitution obligation. In these circumstances, we see no abuse of discretion in the denial of early termination. See 18 U.S.C. § 3583(e)(1); United States v. Lowe, 632 F.3d 996, 997-98 (7th Cir. 2011) (denial of motion for early termination of supervised release is reviewed for abuse of discretion).

Accordingly, we affirm. We also grant counsel leave to withdraw.

¹The Honorable Dean Whipple, United States District Judge for the Western District of Missouri.