

United States Court of Appeals
For the Eighth Circuit

No. 13-1809

United States of America

Plaintiff - Appellee

v.

Stephen Eugene White

Defendant - Appellant

Appeal from United States District Court
for the Eastern District of Missouri - St. Louis

Submitted: August 1, 2013

Filed: August 8, 2013

[Unpublished]

Before WOLLMAN, GRUENDER, and BENTON, Circuit Judges.

PER CURIAM.

Stephen White directly appeals the eleven-month prison term that the district court¹ imposed upon revoking his supervised release. His counsel has moved to

¹The Honorable Jean C. Hamilton, United States District Judge for the Eastern District of Missouri.

withdraw, and has filed a brief indicating that there is no issue of arguable merit in this case.

Upon careful review, we conclude that the district court imposed a statutorily authorized revocation sentence, given that White's underlying offense was a Class C felony. See 18 U.S.C. § 3583(e)(3) (court may impose revocation sentence of no more than 2 years in prison if underlying offense was Class C felony). We further conclude that the district court's sentencing decision reflects no abuse of discretion. See United States v. Miller, 557 F.3d 910, 915-16 (8th Cir. 2009) (court reviews revocation sentencing decisions using same standards as applied to initial sentencing decisions); United States v. Perkins, 526 F.3d 1107, 1110 (8th Cir. 2008) (appellate court reviews revocation sentence for abuse of discretion, ensuring sentence is reasonable); see also United States v. Feemster, 572 F.3d 455, 461 (8th Cir. 2009) (en banc) (describing ways in which district court might be found to have committed abuse of discretion).

The judgment is affirmed. In addition, we grant counsel's motion to withdraw.
