

United States Court of Appeals
For the Eighth Circuit

No. 14-2705

United States of America

Plaintiff - Appellee

v.

Montes D. King

Defendant - Appellant

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

Submitted: December 15, 2014

Filed: December 22, 2014

[Unpublished]

Before WOLLMAN, BYE, and MELLOY, Circuit Judges.

PER CURIAM.

Montes King directly appeals after the district court¹ revoked his supervised release and sentenced him within the Chapter 7 advisory Guidelines range to 18

¹The Honorable Gary A. Fenner, United States District Judge for the Western District of Missouri.

months in prison. King's counsel has moved to withdraw and has filed a brief arguing that King's sentence is substantively unreasonable. King has filed a pro se brief arguing that his due process rights were violated.

Upon careful review, we conclude that the district court did not impose an unreasonable revocation sentence. See United States v. Growden, 663 F.3d 982, 984 (8th Cir. 2011) (per curiam) (describing appellate review of revocation sentences); United States v. Petreikis, 551 F.3d 822, 824 (8th Cir. 2009) (applying presumption of substantive reasonableness to revocation sentence within Guidelines range). We also conclude that no due process violation occurred in light of counsel's and King's statements at the revocation hearing. Cf. United States v. Taylor, 747 F.3d 516, 519-20 (8th Cir. 2014) (affirming revocation where defendant did not voice objections despite being afforded opportunity to speak after his attorney had conceded violations).

Accordingly, we affirm the judgment of the district court. We also grant counsel's motion for leave to withdraw.
