

United States Court of Appeals
FOR THE EIGHTH CIRCUIT

No. 98-2471

United States of America,

Appellee,

v.

Craig Freisinger,

Appellant.

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

[UNPUBLISHED]

Submitted: October 2, 1998
Filed: October 15, 1998

Before McMILLIAN, LOKEN, and HANSEN, Circuit Judges.

PER CURIAM.

Craig Freisinger appeals the sentence the district court¹ imposed on him after revoking his supervised release, on the basis that his sentence exceeds the suggested range of imprisonment calculated by the court under U.S. SENTENCING GUIDELINES MANUAL § 7B1.4(a), p.s. (1997).

¹The Honorable Michael J. Melloy, Chief Judge, United States District Court for the Northern District of Iowa.

We reject Freisinger's challenge. The Chapter 7 policy statements are "merely advisory," the sentence does not exceed the limit imposed by 18 U.S.C. § 3583(e)(3), and the district court properly considered Freisinger's need for drug treatment. See Unites States v. Carr, 66 F.3d 981, 983 (8th Cir. 1995) (per curiam); United States v. Jones, 973 F.2d 605, 607 (8th Cir. 1992).

Accordingly, we affirm the judgment of the district court

A true copy.

Attest:

CLERK, U.S. COURT OF APPEALS, EIGHTH CIRCUIT.