

United States Court of Appeals
For the Eighth Circuit

No. 19-2707

United States of America

Plaintiff - Appellee

v.

Antoine Tavares Mitchell, also known as Nephew

Defendant - Appellant

Appeal from United States District Court
for the Northern District of Iowa - Dubuque

Submitted: November 7, 2019

Filed: November 13, 2019

[Unpublished]

Before COLLOTON, BENTON, and GRASZ, Circuit Judges.

PER CURIAM.

Antoine Tavares Mitchell appeals the Guidelines-range sentence the district court¹ imposed upon revoking his supervised release. Counsel has moved for leave

¹The Honorable C.J. Williams, United States District Judge for the Northern District of Iowa.

to withdraw, and filed a brief challenging the sentence as unreasonable. Having jurisdiction under 28 U.S.C. § 1291, this court affirms.

This court concludes that the district court did not impose an unreasonable sentence. *See United States v. Miller*, 557 F.3d 910, 916 (8th Cir. 2009) (in reviewing revocation sentences, appellate court first ensures no significant procedural error occurred, then considers substantive reasonableness of sentence under deferential abuse-of-discretion standard). The district court properly considered the 18 U.S.C. § 3553(a) factors, and there is no indication that it overlooked a relevant factor or committed a clear error of judgment in weighing relevant factors. *See United States v. Larison*, 432 F.3d 921, 923-24 (8th Cir. 2006). The sentence is within the Guidelines range and below the statutory limit. *See* 18 U.S.C. §§ 3583(e)(3), (h); *United States v. Aguayo-Delgado*, 220 F.3d 926, 933 (8th Cir. 2000) (maximum supervised release sentence for 21 U.S.C. § 841(b)(1)(C) violation is life).

The judgment is affirmed. Counsel's motion to withdraw is granted.
