

United States Court of Appeals
For the Eighth Circuit

No. 21-3384

United States of America

Plaintiff - Appellee

v.

Otis Ray Mays, Jr.

Defendant - Appellant

No. 21-3385

United States of America

Plaintiff - Appellee

v.

Otis Ray Mays, Jr.

Defendant - Appellant

Appeals from United States District Court
for the District of Minnesota

Submitted: May 13, 2022

Filed: May 31, 2022

[Unpublished]

Before GRUENDER, ERICKSON, and KOBES, Circuit Judges.

PER CURIAM.

Otis Mays appeals the district court's¹ reimposition of a special condition of supervised release limiting his computer use and internet access, following this court's remand for resentencing on his wire fraud and child pornography convictions. Upon careful review, we conclude that the district court did not abuse its discretion by reimposing the special condition. *See United States v. Jennings*, 930 F.3d 1024, 1026 (8th Cir. 2019) (reviewing imposition of special conditions of supervised release for abuse of discretion). The district court adequately explained why it reimposed the special condition, and, because it did not clearly err in finding that Mays's offense involved computer use and internet access, the special condition was reasonably related to the 18 U.S.C. § 3553(a) factors. *See United States v. Turner*, 781 F.3d 374, 393 (8th Cir. 2015) (reviewing factual findings for clear error); *United States v. Wiedower*, 634 F.3d 490, 493 (8th Cir. 2011) (discussing district court's broad discretion to impose special conditions that are reasonably related to the § 3553 factors, involve no greater deprivation of liberty than reasonably necessary, and are consistent with any pertinent Sentencing Commission policy statements). Accordingly, we affirm.

¹The Honorable Eric C. Tostrud, United States District Judge for the District of Minnesota.