

United States Court of Appeals
For the Eighth Circuit

No. 23-1003

United States of America

Plaintiff - Appellee

v.

Jeffery Scott Kuster

Defendant - Appellant

Appeal from United States District Court
for the Southern District of Iowa - Central

Submitted: April 21, 2023

Filed: April 26, 2023

[Unpublished]

Before LOKEN, COLLOTON, and BENTON, Circuit Judges.

PER CURIAM.

Jeffery Scott Kuster appeals after the district court¹ revoked his supervised release and sentenced him to 12 months in prison and 24 months of supervised

¹The Honorable James E. Gritzner, United States District Judge for the Southern District of Iowa.

release. His counsel has moved for leave to withdraw and filed a brief challenging the sentence. Having jurisdiction under 28 U.S.C. § 1291, this court affirms.

This court concludes that the district court did not abuse its discretion in sentencing Kuster. See *United States v. Miller*, 557 F.3d 910, 915-18 (8th Cir. 2009) (substantive reasonableness of revocation sentence is reviewed under deferential abuse-of-discretion standard); see also *United States v. Perkins*, 526 F.3d 1107, 1110 (8th Cir. 2008) (district court need not make specific findings on § 3553(a) factors; all that is generally required to satisfy appellate court is evidence that court was aware of relevant factors). The sentence was within the advisory Guidelines range and below the statutory limit. See 18 U.S.C. § 3583(e)(3) (maximum revocation prison term is 5 years for Class A felony); 21 U.S.C. § 841(b)(1)(A) (maximum supervised release term is life); *Perkins*, 526 F.3d at 1110 (revocation sentence within Guidelines range is accorded presumption of reasonableness on appeal).

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