

United States Court of Appeals
For the Eighth Circuit

No. 24-2136

United States of America

Plaintiff - Appellee

v.

Troy Michael Barnes, also known as Troy Barnes

Defendant - Appellant

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

Submitted: September 26, 2024

Filed: October 1, 2024

[Unpublished]

Before BENTON, KELLY, and ERICKSON, Circuit Judges.

PER CURIAM.

Troy Barnes appeals the above-Guidelines sentence the district court¹ imposed upon revoking his supervised release. Having jurisdiction under 28 U.S.C. § 1291, this court affirms.

¹The Honorable Stephen H. Locher, United States District Judge for the Southern District of Iowa.

Barnes’s counsel has moved for leave to withdraw and filed a brief under *Anders v. California*, 386 U.S. 738 (1967), arguing that the sentence is substantively unreasonable. After careful review, this court concludes that the district court did not impose a substantively unreasonable sentence. See *United States v. Miller*, 557 F.3d 910, 917 (8th Cir. 2009) (substantive reasonableness of revocation sentence is reviewed under deferential abuse-of-discretion standard); *United States v. Feemster*, 572 F.3d 455, 464 (8th Cir. 2009) (en banc) (“it will be the unusual case when we reverse a district court sentence--whether within, above, or below the applicable Guidelines range--as substantively unreasonable”). The record reflects that the district court adequately considered the 18 U.S.C. § 3553(a) factors. See *United States v. Larison*, 432 F.3d 921, 923 (8th Cir. 2006) (revocation sentence may be unreasonable if court fails to consider relevant factor, gives significant weight to improper or irrelevant factor, or commits clear error of judgment). Additionally, the revocation sentence was within the statutory maximum. See 18 U.S.C. § 3583(e)(3) (maximum revocation prison term is two years if underlying offense is Class C felony), (h) (length of new supervised-release term shall not exceed term authorized by statute for offense of conviction, less revocation prison terms), (k) (maximum supervised release term for offense under 18 U.S.C. § 2252 is life).

The judgment is affirmed, and counsel’s motion to withdraw is granted.
