

United States Court of Appeals
For the Eighth Circuit

No. 25-3388

United States of America

Plaintiff - Appellee

v.

Freddie Franklin

Defendant - Appellant

Appeal from United States District Court
for the Eastern District of Missouri - St. Louis

Submitted: May 22, 2026

Filed: May 28, 2026

[Unpublished]

Before BENTON, GRASZ, and STRAS, Circuit Judges.

PER CURIAM.

Freddie Franklin appeals the sentence the district court¹ imposed after revoking his term of supervised release. His counsel now moves to withdraw.

¹The Honorable Audrey G. Fleissig, United States District Judge for the Eastern District of Missouri.

Having jurisdiction under 28 U.S.C. § 1291, this court affirms and grants the motion to withdraw.

Upon careful review, this court concludes that the district court did not abuse its discretion in sentencing Franklin. *See United States v. Miller*, 557 F.3d 910, 915-17 (8th Cir. 2009) (standard of review); *United States v. Feemster*, 572 F.3d 455, 461-62 (8th Cir. 2009) (en banc) (sentence may be unreasonable if district court fails to consider relevant factor, gives significant weight to improper or irrelevant factor, or commits a clear error of judgment in weighing factors); *United States v. McSmith*, 968 F.3d 731, 737 (8th Cir. 2020) (disagreement with how district court weighed factors does not demonstrate abuse of discretion); *United States v. Cloud*, 956 F.3d 985, 988 (8th Cir. 2019) (affirming sentence, even though it was unclear if district court relied on improper factor, as the record demonstrated that the court did not afford that factor significant weight and its main concerns were the seriousness of the instant offense, the defendant's history and characteristics, and the need to protect the public); *see also United States v. Townsend*, 617 F.3d 991, 994-95 (8th Cir. 2010) (per curiam) (within-Guidelines-range sentences are presumptively reasonable on appeal). Nor did the district court abuse its discretion in ordering the sentence to be served consecutively to any state court sentences imposed on account of the incidents underlying the release conditions violations. *See United States v. Johnson*, 827 F.3d 740, 745 (8th Cir. 2016).

To the extent Franklin raises an ineffective-assistance-of-counsel claim, this court declines to consider it on direct appeal. *See United States v. Oliver*, 950 F.3d 556, 566 (8th Cir. 2020) (appellate court reviews such claims on direct appeal only where record has been fully developed, where not to act would amount to plain miscarriage of justice, or where counsel's error is readily apparent).

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