

United States Court of Appeals
FOR THE EIGHTH CIRCUIT

No. 04-3958

United States of America,

Appellee,

v.

Marcus A. Wilkins,

Appellant.

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

[UNPUBLISHED]

Submitted: October 7, 2005

Filed: October 12, 2005

Before MURPHY, COLLOTON, and BENTON, Circuit Judges.

PER CURIAM.

Marcus Wilkins pleaded guilty to being a felon in possession of firearms and ammunition, see 18 U.S.C. § 922(g), and was sentenced to 55 months imprisonment (later amended to 43 months) and 3 years supervised release, see 18 U.S.C. §§ 924(a)(2) (10-year maximum prison term), 3559(a)(3) (Class C felony), 3583(b)(2) (3-year maximum supervised release term for Class C felony). The district court¹ later revoked supervised release upon Wilkins's admission of violations; and imposed a new sentence of 6 months imprisonment and 2 years supervised release, with special

¹The Honorable E. Richard Webber, United States District Judge for the Eastern District of Missouri.

conditions requiring the mental-health and drug-abuse treatment Wilkins requested. Wilkins appeals this sentence.

We note that both the prison term and the supervised release term were within authorized limits, and that the district court considered appropriate factors in imposing the revocation sentence. See 18 U.S.C. § 3583(e) (requiring consideration of 18 U.S.C. § 3553(a) factors; authorizing up to 2 years imprisonment upon revocation of supervised release where original offense was Class C felony), § 3583(h) (authorizing new period of supervised release not to exceed maximum term of supervised release for original offense, less any prison time imposed upon revocation of supervised release). We conclude that Wilkins's sentence is not unreasonable. See United States v. Tyson, 413 F.3d 824, 825 (8th Cir. 2005) (*per curiam*) (standard of review).

Accordingly, we affirm, and we also grant counsel's motion to withdraw.
