

United States Court of Appeals
FOR THE EIGHTH CIRCUIT

No. 08-1164

United States of America,

Appellee,

v.

Brandon Deverell,

Appellant.

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* Appeal from the United States

* District Court for the

* Northern District of Iowa.

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* [UNPUBLISHED]

Submitted: May 21, 2008

Filed: June 16, 2008

Before WOLLMAN, RILEY, and GRUENDER, Circuit Judges.

PER CURIAM.

After revoking Brandon Deverell's supervised release, the district court¹ sentenced him to 12 months in prison and 18 months of supervised release. Deverell appeals, arguing that the additional supervised-release term renders his sentence unreasonable because the prison term was adequate punishment for the violations, and the record failed to indicate the additional supervised release would accomplish anything.

¹The Honorable Linda R. Reade, Chief Judge, United States District Court for the Northern District of Iowa.

We conclude that the district court’s addition of an 18-month term of supervised release to Deverell’s 12-month prison term did not render his revocation sentence unreasonable. The court, upon revoking Deverell’s supervised release, had the authority to sentence him to a term of imprisonment followed by a term of supervised release. See 18 U.S.C. § 3583(e), (h). Although the court noted Deverell’s previous failures while on supervision, the court properly considered all applicable factors set forth in 18 U.S.C. § 3553(a) in deciding what revocation sentence to ultimately impose. See United States v. Nelson, 453 F.3d 1004, 1006 (8th Cir. 2006) (appellate court reviews revocation sentence to determine whether it is unreasonable in relation to, inter alia, § 3553(a) factors and advisory Guidelines range). Finally, both the prison term and the supervised-release term are within the applicable statutory maximums. See 18 U.S.C. §§ 3559(a)(3) (felony is Class C if maximum prison term is less than 25 years but 10 or more years), 3583(b)(2) (for Class C felony, maximum supervised release term is 3 years), 3583(e)(3) (for Class C felony, maximum prison term upon revocation of supervised release is 2 years), 3583(h) (supervised release component of revocation sentence “shall not exceed the term of supervised release authorized by statute for the offense that resulted in the original term of supervised release, less any term of imprisonment that was imposed upon revocation of supervised release”).

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