

United States Court of Appeals
FOR THE EIGHTH CIRCUIT

No. 08-3461

United States of America,

Appellee,

v.

Samuel William Cocke,

Appellant.

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* Appeal from the United States

* District Court for the

* District of Minnesota.

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* [UNPUBLISHED]

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Submitted: May 11, 2009

Filed: May 18, 2009

Before LOKEN, Chief Judge, BYE, Circuit Judge, and MILLER, District Judge.¹

PER CURIAM.

Samuel William Cocke appeals the eighteen-month sentence he received for violating a condition of his supervised release. Despite the fact his sentence is three months below the low end of the range recommended under U.S. Sentencing Guidelines Manual § 7B1.4(a) (21-27 months based on the Grade B violation Cocke

¹The Honorable Brian Stacy Miller, United States District Judge for the Eastern District of Arkansas, sitting by designation.

admitted to and his Criminal History Category of VI), Cocke argues the district court² imposed an unreasonable sentence.

We review the sentence imposed for an abuse of discretion. United States v. Charles, 531 F.3d 637, 640 (8th Cir. 2008). The record indicates the district court was aware of, and considered, the relevant sentencing factors listed in 18 U.S.C. § 3553(a) for determining an appropriate sentence for a violation of supervised release. The record also indicates the district court considered Cocke's arguments for imposing a lower sentence. We see nothing in the record to indicate the district court abused its discretion in imposing a sentence that was already below the recommended Guidelines, and therefore affirm.

²The Honorable John R. Tunheim, United States District Judge for the District of Minnesota.