

United States Court of Appeals
For the Eighth Circuit

No. 13-1538

United States of America

Plaintiff - Appellee

v.

Jason Eugene Durgan

Defendant - Appellant

Appeal from United States District Court
for the Western District of Missouri - Springfield

Submitted: August 7, 2013

Filed: August 8, 2013

[Unpublished]

Before WOLLMAN, GRUENDER, and BENTON, Circuit Judges.

PER CURIAM.

Jason Eugene Durgan appeals the 24-month prison term the district court¹ imposed upon revoking his supervised release. He argues that the district court

¹The Honorable Richard E. Dorr, late a United States District Judge for the Western District of Missouri.

abused its discretion by imposing a revocation sentence that is substantively unreasonable. Durgan's counsel has moved to withdraw.

Upon careful review, this court concludes that the district court did not abuse its discretion in sentencing Durgan. The district court imposed a sentence within the permitted statutory range and gave sound reasons to justify its sentencing decision. *See* 18 U.S.C. § 3583(e)(3) (permitting 24-month prison term as part of revocation sentence where original offense was Class C felony); *United States v. Perkins*, 526 F.3d 1107, 1110 (8th Cir. 2008) (court reviews revocation sentence for abuse of discretion; district court's discretion to impose prison term upon revocation of supervised release is limited by statute); *cf. United States v. Larison*, 432 F.3d 921, 924 (8th Cir. 2006) (affirming imposition of maximum revocation sentence available under statute, where district court justified decision by giving supporting reasons).

This court affirms the judgment of the district court, and grants counsel's motion to withdraw.
