

United States Court of Appeals  
For the Eighth Circuit

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No. 17-3387

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United States of America

*Plaintiff - Appellee*

v.

Mark Steven Hall

*Defendant - Appellant*

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Appeal from United States District Court  
for the Southern District of Iowa - Davenport

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Submitted: April 30, 2018

Filed: May 3, 2018

[Unpublished]

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Before GRUENDER, BENTON, and STRAS, Circuit Judges.

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PER CURIAM.

Mark Hall directly appeals the sentence the district court<sup>1</sup> imposed upon him after revoking his supervised release. Hall's counsel has moved for leave to withdraw

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<sup>1</sup>The Honorable Stephanie M. Rose, United States District Judge for the Southern District of Iowa.

and has filed a brief questioning whether the district court appropriately handled the government's nondisclosure of certain evidence to defense counsel prior to the revocation hearing.

We conclude that the district court's response was appropriate. Hall knew the nature of the undisclosed evidence, had an opportunity to confer with counsel during a short continuance, and did not request a longer continuance. *See* Fed. R. Crim. P. 16(d)(2) (listing the available remedies for a party's failure to comply with discovery rules); *United States v. Tibesar*, 894 F.2d 317, 319 (8th Cir. 1990) (reviewing a district court's decision not to exclude evidence under Rule 16 for an abuse of discretion).

We accordingly affirm the judgment and grant counsel's motion to withdraw.

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