

United States Court of Appeals
For the Eighth Circuit

No. 19-3441

United States of America

Plaintiff - Appellee

v.

Ramius Hardiman

Defendant - Appellant

Appeal from United States District Court
for the Northern District of Iowa - Cedar Rapids

Submitted: March 24, 2020

Filed: March 30, 2020

[Unpublished]

Before GRUENDER, BEAM, and SHEPHERD, Circuit Judges.

PER CURIAM.

Ramius Hardiman challenges the district court's¹ imposition of a Residential Reentry Center (RRC) special condition of supervised release, after he pleaded guilty to an escape charge. His counsel has filed a brief under Anders v. California, 386 U.S. 738 (1967), challenging the RRC condition, and has moved to withdraw.

After careful review, we conclude that the district court did not abuse its wide discretion in imposing the RRC condition. See United States v. Wiedower, 634 F.3d 490, 493 (8th Cir. 2011) (explaining the standard of review); see also 18 U.S.C. § 3583(d) (stating that a court may order a special release condition that is reasonably related to § 3553 factors, involves no greater deprivation of liberty than reasonably necessary, and is consistent with policy statements); United States v. Melton, 666 F.3d 513, 517-18 (8th Cir. 2012) (concluding that requiring a defendant to temporarily reside at a RRC is expressly authorized by 18 U.S.C. § 3563(b)(11) and U.S.S.G. § 5B1.3(e)(1), and has been regularly upheld as a reasonable condition of supervised release; and that the district court did not abuse its discretion in imposing a RRC condition solely because the defendant failed to succeed there in the past). Having independently reviewed the record under Penson v. Ohio, 488 U.S. 75 (1988), we find no non-frivolous issues for appeal.

Accordingly, the judgment is affirmed, and counsel's motion to withdraw is granted.

¹The Honorable C.J. Williams, United States District Judge for the Northern District of Iowa, adopting the report and recommendations of the Honorable Mark A. Roberts, United States Magistrate Judge for the Northern District of Iowa.