

United States Court of Appeals
For the Eighth Circuit

No. 21-2915

United States of America

Plaintiff - Appellee

v.

Christopher Lee Allen

Defendant - Appellant

Appeal from United States District Court
for the District of North Dakota - Western

Submitted: December 8, 2021

Filed: December 13, 2021

[Unpublished]

Before BENTON, KELLY, and KOBES, Circuit Judges.

PER CURIAM.

Christopher Lee Allen appeals the sentence the district court¹ imposed after revoking his supervised release for the second time. His counsel has moved to

¹The Honorable Daniel M. Traynor, United States District Judge for the District of North Dakota.

withdraw and has filed a brief challenging the substantive reasonableness of the sentence. Having jurisdiction under 28 U.S.C. § 1291, this court affirms.

After reviewing the record under a deferential abuse-of-discretion standard, this court concludes the district court did not impose a substantively unreasonable sentence. *See United States v. Miller*, 557 F.3d 910, 917 (8th Cir. 2009) (standard of review). The record reflects the district court considered relevant statutory sentencing factors and did not overlook a relevant factor, give significant weight to an improper or irrelevant factor, or commit a clear error of judgment in weighing relevant factors. *See* 18 U.S.C. § 3583(e); *Miller*, 557 F.3d at 917; *United States v. White Face*, 383 F.3d 733, 740 (8th Cir. 2004). The sentence is below the statutory limits, and is presumptively reasonable because it falls within the applicable policy statement range in the United States Sentencing Guidelines Manual. *See* 18 U.S.C. § 3583(e)(3); *United States v. Petreikis*, 551 F.3d 822, 824-25 (8th Cir. 2009).

The judgment is affirmed. Counsel's motion to withdraw is granted.
