

United States Court of Appeals
For the Eighth Circuit

No. 21-1475

United States of America

Plaintiff - Appellee

v.

Tobias Sarazin

Defendant - Appellant

Appeal from United States District Court
for the Northern District of Iowa

Submitted: January 10, 2022

Filed: March 14, 2022

[Unpublished]

Before BENTON, SHEPHERD, and STRAS, Circuit Judges.

PER CURIAM.

Tobias Sarazin, who pleaded guilty to a firearm offense, received a 60-month prison sentence. *See* 18 U.S.C. §§ 922(g)(3), 922(g)(8), 922(g)(9), and 924(a)(2).

He argues that the sentence, which the district court¹ imposed after varying upward, is unreasonably long.

We conclude that Sarazin received a substantively reasonable sentence. *See United States v. Feemster*, 572 F.3d 455, 464 (8th Cir. 2009) (en banc) (reviewing the reasonableness of a sentence under a “deferential abuse-of-discretion standard” (quotation marks omitted)). The record establishes that the district court sufficiently considered the statutory sentencing factors, including both mitigating and aggravating circumstances. 18 U.S.C. § 3553(a). It was free to consider the need for incapacitation, given that more “lenien[t]” sentences “ha[d] not been effective,” *United States v. Walking Eagle*, 553 F.3d 654, 657 (8th Cir. 2009) (quotation marks omitted), for this seventeen-time offender with “a history of violence and recidivism.” Just because Sarazin would have weighed these factors differently does not mean the court abused its discretion by varying upward. *See United States v. Hall*, 825 F.3d 373, 375 (8th Cir. 2016) (per curiam).

We accordingly affirm the judgment of the district court.

¹The Honorable C.J. Williams, United States District Judge for the Northern District of Iowa.