

United States Court of Appeals
For the Eighth Circuit

No. 21-3273

United States of America,

Plaintiff - Appellee,

v.

Mikato Fulks,

Defendant - Appellant.

Appeal from United States District Court
for the Western District of Arkansas - Fayetteville

Submitted: March 4, 2022

Filed: March 15, 2022

[Unpublished]

Before COLLOTON, SHEPHERD, and GRASZ, Circuit Judges.

PER CURIAM.

Mikato Fulks appeals after the district court¹ revoked his supervised release and sentenced him to 24 months in prison. His counsel has moved to withdraw, and

¹The Honorable Timothy L. Brooks, United States District Judge for the Western District of Arkansas.

has filed a brief under *Anders v. California*, 386 U.S. 738 (1967), suggesting that the district court erred in relying on a certified copy of a state court criminal judgment to find that Fulks violated his conditions of release, and that the revocation sentence was unreasonable.

After careful review of the record, we conclude that the district court did not abuse its discretion by relying on a certified copy of the judgment for Fulks's state court controlled-substance conviction. *See* 18 U.S.C. § 3583(e)(3); *United States v. Goodon*, 742 F.3d 373, 375-76 (8th Cir. 2014). We also conclude that Fulks's sentence was not substantively unreasonable, as there is no indication that the court overlooked a relevant factor, gave significant weight to an improper or irrelevant factor, or committed a clear error of judgment in weighing the relevant factors. *See United States v. Miller*, 557 F.3d 910, 914 (8th Cir. 2009) (standard of review); *United States v. Larison*, 432 F.3d 921, 922-23 (8th Cir. 2006). The sentence was within the advisory sentencing guidelines range and below the statutory limit, *see* 18 U.S.C. § 3583(e)(3). The district court also explained that it had considered the factors under 18 U.S.C. § 3553(a). *See United States v. Wohlman*, 651 F.3d 878, 887 (8th Cir. 2011).

Accordingly, we grant counsel's motion to withdraw, and affirm.
