

United States Court of Appeals
For the Eighth Circuit

No. 22-1588

United States of America

Plaintiff - Appellee

v.

Zewayne L. Durley

Defendant - Appellant

Appeal from United States District Court
for the Western District of Missouri - Springfield

Submitted: June 28, 2022

Filed: July 1, 2022

[Unpublished]

Before GRUENDER, BENTON, and STRAS, Circuit Judges.

PER CURIAM.

Zewayne Durley appeals a 12-month sentence he received for violating the conditions of supervised release. He challenges the substantive reasonableness of the sentence, and his attorney seeks permission to withdraw.

We conclude that the sentence is substantively reasonable. *See United States v. Miller*, 557 F.3d 910, 917 (8th Cir. 2009) (reviewing the reasonableness of a revocation sentence for an abuse of discretion); *United States v. Perkins*, 526 F.3d 1107, 1110 (8th Cir. 2008) (stating that a within-Guidelines-range sentence is presumptively reasonable). The record establishes that the district court¹ sufficiently considered the statutory sentencing factors, 18 U.S.C. §§ 3553(a), 3583(e)(3), and did not rely on an improper factor or commit a clear error of judgment. *See United States v. Larison*, 432 F.3d 921, 923–24 (8th Cir. 2006). Accordingly, we affirm the judgment and grant counsel permission to withdraw.

¹The Honorable Brian C. Wimes, United States District Judge for the Western District of Missouri.