

United States Court of Appeals
For the Eighth Circuit

No. 22-3645

United States of America,

Plaintiff - Appellee,

v.

Mario Marqwinn Manuel,

Defendant - Appellant.

Appeal from United States District Court
for the Southern District of Iowa - Central

Submitted: April 7, 2023

Filed: April 12, 2023

[Unpublished]

Before LOKEN, COLLOTON, and BENTON, Circuit Judges.

PER CURIAM.

Mario Manuel appeals after the district court¹ revoked his probation and sentenced him to 18 months in prison. His counsel has moved to withdraw, and filed

¹The Honorable Rebecca Goodgame Ebinger, United States District Judge for the Southern District of Iowa.

a brief arguing that the revocation sentence is substantively unreasonable. In a pro se brief, Manuel argues that counsel was ineffective for advising him to admit to the violation, and that the district court was biased against him.

We conclude that Manuel's sentence was not unreasonable, as there is no indication that the district 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. Shepard*, 657 F.3d 682, 685 (8th Cir. 2011); *United States v. Larison*, 432 F.3d 921, 922-23 (8th Cir. 2006); *United States v. Tschebaum*, 306 F.3d 540, 543-44 (8th Cir. 2002). Manuel's contention that counsel provided ineffective assistance is best litigated in a collateral proceeding under 28 U.S.C. § 2255. *See United States v. Ramirez-Hernandez*, 449 F.3d 824, 827 (8th Cir. 2006). His allegation of judicial bias is conclusory and not supported by the record. *See Bannister v. Delo*, 100 F.3d 610, 614 (8th Cir. 1996).

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