

United States Court of Appeals
For the Eighth Circuit

No. 23-1443

United States of America

Plaintiff - Appellee

v.

Larry Todt

Defendant - Appellant

Appeal from United States District Court
for the Eastern District of Missouri - Cape Girardeau

Submitted: July 7, 2023

Filed: July 12, 2023

[Unpublished]

Before GRUENDER, BENTON, and GRASZ, Circuit Judges.

PER CURIAM.

Larry Todt appeals after the district court¹ revoked his supervised release and imposed a term of imprisonment, with no supervised release to follow. His counsel

¹The Honorable Matthew T. Schelp, United States District Judge for the Eastern District of Missouri.

has moved to withdraw and filed a brief challenging the substantive reasonableness of the sentence.

After reviewing the record under a deferential abuse-of-discretion standard of review, *see United States v. Miller*, 557 F.3d 910, 915-16 (8th Cir. 2009), we conclude the district court did not impose a substantively unreasonable sentence. The sentence was within the statutory maximums. *See* 18 U.S.C. § 3583(e)(3). The court also sufficiently considered the 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 id.* § 3583(e); *Miller*, 557 F.3d at 917; *see also United States v. McGhee*, 869 F.3d 703, 707 (8th Cir. 2017) (*per curiam*). Todt’s disagreement with how the court weighed those factors is insufficient to show an abuse of discretion on this record. *See United States v. Vaca*, 38 F.4th 718, 724 (8th Cir. 2022).

Accordingly, we affirm the judgment and grant counsel’s motion to withdraw.
