

United States Court of Appeals
For the Eighth Circuit

No. 23-1526

United States of America

Plaintiff - Appellee

v.

Terry Lee Holmes

Defendant - Appellant

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

Submitted: June 28, 2023

Filed: July 3, 2023

[Unpublished]

Before KELLY, ERICKSON, and GRASZ, Circuit Judges.

PER CURIAM.

Terry Holmes appeals after the district court¹ revoked his supervised release and sentenced him to 18 months in prison followed by 10 years of supervised release.

¹The Honorable Beth Phillips, Chief Judge, United States District Court for the Western District of Missouri.

His counsel has requested leave to withdraw, and has filed a brief challenging the substantive reasonableness of the revocation sentence.

Upon careful review, we conclude that the 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. Miller, 557 F.3d 910, 917 (8th Cir. 2009) (substantive reasonableness of revocation sentence is reviewed under deferential abuse-of-discretion standard); and the sentence was below the advisory Guidelines range and the statutory maximum, see 18 U.S.C. § 3583(e)(3).

Accordingly, we grant counsel leave to withdraw, and affirm.
