

United States Court of Appeals
For the Eighth Circuit

No. 23-1163

United States of America

Plaintiff - Appellee

v.

Justin Hemkens

Defendant - Appellant

Appeal from United States District Court
for the Eastern District of Missouri

Submitted: July 5, 2023

Filed: August 11, 2023

[Unpublished]

Before KELLY, ERICKSON, and GRASZ, Circuit Judges.

PER CURIAM.

Justin Hemkens appeals after the district court¹ revoked his supervised release and sentenced him to 7 months in prison and 10 years of supervised release. On

¹The Honorable Stephen R. Clark, Chief Judge, United States District Court for the Eastern District of Missouri.

appeal, Hemkens argues the district court erred in finding he had violated the terms of his supervision.

Upon careful review, we conclude the district court did not err in finding Hemkens violated at least one of the terms of his supervised release. *See* 18 U.S.C. § 3583(e)(3) (allowing court to revoke supervised release if it finds by preponderance of evidence that a defendant violated a condition of supervised release); *United States v. Miller*, 557 F.3d 910, 913-14 (8th Cir. 2009) (reviewing decision to revoke supervised release for abuse of discretion and underlying factual findings as to whether a violation occurred for clear error; district court need only find a single violation to revoke a defendant's supervised release).

Accordingly, we affirm.
