

United States Court of Appeals
For the Eighth Circuit

No. 23-2666

United States of America

Plaintiff - Appellee

v.

Charles Glen Harrington

Defendant - Appellant

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

Submitted: October 31, 2023

Filed: November 3, 2023

[Unpublished]

Before LOKEN, COLLOTON, and GRUENDER, Circuit Judges.

PER CURIAM.

Charles Harrington appeals after the district court¹ revoked his supervised release and sentenced him to 6 months in prison and 60 months of supervised release.

¹The Honorable Stephen H. Locher, United States District Judge for the Southern District of Iowa.

His counsel has moved to withdraw, and has filed a brief challenging one of the violations and the revocation sentence.

Upon careful review, we conclude the district court did not err in finding that Harrington violated the terms of his supervised release by failing to notify the Iowa Sex Offender Registry about the cell phone he had obtained and the accounts that he had created on Facebook and Gmail using that device. See 18 U.S.C. § 3583(e)(3); United States v. Miller, 557 F.3d 910, 913-14 (8th Cir. 2009) (standard of review).

We also conclude the district court did not abuse its discretion in sentencing Harrington, as it properly considered the 18 U.S.C. § 3553(a) factors; there was no indication that it overlooked a relevant factor, or committed a clear error of judgment in weighing relevant factors, see United States v. Miller, 557 F.3d 910, 915-18 (8th Cir. 2009) (standard of review); see also United States v. White Face, 383 F.3d 733, 740 (8th Cir. 2004); and the sentence was within the advisory Guidelines range, and below the statutory limit, see 18 U.S.C. § 3583(e)(3); 21 U.S.C. § 841(b)(1)(B).

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