

United States Court of Appeals
For the Eighth Circuit

No. 23-2983

United States of America,

Plaintiff - Appellee,

v.

Philip Maccani, also known as Phillip Maccani,

Defendant - Appellant.

Appeal from United States District Court
for the Northern District of Iowa - Cedar Rapids

Submitted: December 28, 2023

Filed: January 18, 2024

[Unpublished]

Before COLLOTON, BENTON, and KELLY, Circuit Judges.

PER CURIAM.

Philip Maccani appeals after the district court¹ revoked his supervised release and sentenced him to 9 months in prison and 2 years of supervised release. His

¹The Honorable Linda R. Reade, United States District Judge for the Northern District of Iowa.

counsel has moved to withdraw, and has filed a brief challenging the findings of certain violations and the reasonableness of the revocation sentence. In a pro se brief, Maccani challenges the violations.

Upon careful review, we conclude the district court did not clearly err in finding that Maccani violated his supervised release. *See United States v. Miller*, 557 F.3d 910, 914 (8th Cir. 2009). We also conclude the district court did not abuse its discretion in sentencing Maccani. The sentence was within the advisory guideline range. There is no indication the district court failed to consider a relevant factor, gave significant weight to an improper or irrelevant factor, or committed a clear error of judgment in weighing relevant factors. *See Miller*, 557 F.3d at 915-16; *United States v. Larison*, 432 F.3d 921, 923 (8th Cir. 2006); *see also United States v. Perkins*, 526 F.3d 1107, 1110 (8th Cir. 2008). The revocation sentence was below the statutory maximum. *See* 18 U.S.C. § 3583(b)(2), (e)(3), (h).

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