

United States Court of Appeals
For the Eighth Circuit

No. 23-3229

United States of America

Plaintiff - Appellee

v.

Adrian Lamar Weems

Defendant - Appellant

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

Submitted: March 5, 2024

Filed: March 8, 2024

[Unpublished]

Before BENTON, ERICKSON, and STRAS, Circuit Judges.

PER CURIAM.

After violating the conditions of supervised release for the third time, Adrian Weems received a 22-month prison sentence. His counsel, who seeks permission to withdraw, suggests the sentence is substantively unreasonable.

We conclude otherwise. *See United States v. Clark*, 998 F.3d 363, 367 (8th Cir. 2021) (reviewing a revocation sentence for an abuse of discretion). The record

shows that the district court¹ sufficiently considered the statutory sentencing factors, 18 U.S.C. §§ 3553(a), 3583(e)(3), and did not rely on an improper factor or commit a clear error of judgment, despite varying upward from the recommended sentencing range. *See Clark*, 998 F.3d at 369–70. We accordingly affirm the judgment of the district court and grant counsel permission to withdraw.

¹The Honorable Rebecca Goodgame Ebinger, United States District Judge for the Southern District of Iowa.