

United States Court of Appeals
For the Eighth Circuit

No. 24-2835

United States of America

Plaintiff - Appellee

v.

Brandon Lee Hayes

Defendant - Appellant

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

Submitted: February 26, 2025

Filed: March 4, 2025

[Unpublished]

Before GRUENDER, KELLY, and STRAS, Circuit Judges.

PER CURIAM.

Brandon Hayes 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 Leonard T. Strand, United States District Judge for the Northern District of Iowa.

counsel has moved to withdraw and has filed a brief arguing that the district court abused its discretion by revoking Hayes's supervised release and imposing a substantively unreasonable sentence.

We conclude that the district court did not abuse its discretion in revoking Hayes's supervised release. *See United States v. Miller*, 557 F.3d 910, 914 (8th Cir. 2009) (reviewing decision to revoke supervised release for abuse of discretion); *United States v. Kaniss*, 150 F.3d 967, 968-69 (8th Cir. 1998). We also conclude that the district court did not abuse its discretion in sentencing Hayes, as there is no indication that the court failed to consider a relevant factor, gave significant weight to an improper or irrelevant factor, or committed a clear error of judgment. *See Miller*, 557 F.3d at 917 (discussing abuse-of-discretion review for the substantive reasonableness of a revocation sentence). Moreover, the sentence is within the advisory Guidelines range. *See United States v. Perkins*, 526 F.3d 1107, 1110 (8th Cir. 2008) (stating that on appeal, a within-Guidelines-range revocation sentence is presumed reasonable).

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