

**United States Court of Appeals**  
**For the Eighth Circuit**

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No. 25-2167

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United States of America

*Plaintiff - Appellee*

v.

Richard James Smith

*Defendant - Appellant*

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Appeal from United States District Court  
for the District of Minnesota

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Submitted: September 10, 2025

Filed: September 15, 2025

[Unpublished]

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Before LOKEN, GRUENDER, and ERICKSON, Circuit Judges.

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PER CURIAM.

Richard Smith appeals the sentence the district court<sup>1</sup> imposed upon revoking his supervised release for the third time. On appeal, he challenges the within-Guidelines 9-month prison term as substantively unreasonable.

Following careful review, we conclude that the district court considered Smith's pattern of admitted noncompliance with supervision in imposing a slightly longer prison term than previously imposed, with no term of supervision to follow, and we see no indication that the district court overlooked a relevant factor, gave significant weight to an improper or irrelevant factor, or committed a clear error of judgment in weighing the relevant factors. See 18 U.S.C. §§ 3553(a) (factors), 3583(e)(3) (statutory limits); United States v. Miller, 557 F.3d 910, 917 (8th Cir. 2009) (standard of review).

The judgment is affirmed, and counsel's motion to withdraw is granted.

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<sup>1</sup>The Honorable John R. Tunheim, United States District Judge for the District of Minnesota.