

United States Court of Appeals
For the Eighth Circuit

No. 25-3518

United States of America

Plaintiff - Appellee

v.

Cody Ray Leveke, also known as Cody Meyer, also known as Cody Ray Meyers

Defendant - Appellant

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

Submitted: March 13, 2026

Filed: March 18, 2026

[Unpublished]

Before LOKEN, GRUENDER, and KOBES, Circuit Judges.

PER CURIAM.

Cody Leveke appeals after the district court¹ revoked his supervised release and sentenced him to a within-Guidelines prison term. His counsel has moved to

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

withdraw and has filed a brief challenging the district court's determination that he violated a condition of release concerning his mental health treatment. Leveke has filed a pro se supplement echoing counsel's challenge and further asserting that his social media postings should not have been considered for sentencing purposes.

Upon careful review, we conclude that the district court did not clearly err when it found that Leveke violated the treatment condition of his supervised release. *See United States v. Miller*, 557 F.3d 910, 914 (8th Cir. 2009) (observing that a district court may revoke a defendant's supervised release if it finds by a preponderance of the evidence that the defendant violated a condition of his release; reviewing a district court's decision to revoke supervision for an abuse of discretion and the court's underlying factual findings as to whether a violation occurred for clear error). We further determine that the district court did not abuse its discretion as to the factors it considered. *See United States v. Perry*, 2 F.4th 1146, 1149-50 (8th Cir. 2021) (per curiam) (reviewing a revocation sentence for an abuse of discretion; concluding that a district court abuses its discretion if it fails to consider a relevant factor that should have received significant weight, gives significant weight to an improper factor, or commits a clear error of judgment in weighing the appropriate factors).

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