

United States Court of Appeals
For the Eighth Circuit

No. 25-2538

United States of America

Plaintiff - Appellee

v.

Miles Andrew Caldwell

Defendant - Appellant

Appeal from United States District Court
for the Eastern District of Arkansas - Central

Submitted: August 11, 2026

Filed: August 18, 2026

[Unpublished]

Before GRUENDER, BENTON, and TRAYNOR, Circuit Judges.

PER CURIAM.

Miles Caldwell appeals after he pled guilty to arson pursuant to a plea agreement, arguing that the district court's¹ decision to vary upwards and sentence

¹The Honorable James M. Moody Jr., United States District Judge for the Eastern District of Arkansas.

him to an 84-month term of imprisonment was substantively unreasonable. Having jurisdiction under 28 U.S.C. § 1291, this court affirms.

Upon careful review, this court finds no basis for reversal. *See Gall v. United States*, 552 U.S. 38, 41, 51 (2007) (standard of review); *United States v. Feemster*, 572 F.3d 455, 464 (8th Cir. 2009) (en banc) (describing what constitutes an abuse of discretion in sentencing). This court concludes that the district court did not abuse its discretion by varying upwards in light of the risk of harm to others Caldwell created, as the United States Sentencing Guidelines range did not fully account for the serious nature of the offense, and the risk of harm was pertinent to broader 18 U.S.C. § 3553(a) considerations including the seriousness of the offense and the need to protect the public. *See United States v. Richart*, 662 F.3d 1037, 1052–53 (8th Cir. 2011) (reliance on factors already accounted for by the Guidelines to impose an upward variance is not an abuse of discretion when “the Guidelines do not fully account for those factors, or ‘when a district court applies broader § 3553(a) considerations in granting the variance’” (quoting *United States v. Jones*, 509 F.3d 911, 914 (8th Cir. 2007))). Further, Caldwell’s disagreement with how the district court weighed the mitigating factors is insufficient to justify reversal. *See United States v. Wisecarver*, 644 F.3d 764, 774 (8th Cir. 2011) (choice to assign greater weight to nature and circumstances of offense rather than mitigating personal characteristics of defendant is within district court’s “wide latitude” to weigh relevant factors).

The judgment is affirmed.
