

United States Court of Appeals
For the Eighth Circuit

No. 26-1225

United States of America

Plaintiff - Appellee

v.

Benjamin John Higgerson

Defendant - Appellant

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

Submitted: July 23, 2026

Filed: August 3, 2026

[Unpublished]

Before GRUENDER, SHEPHERD, and JUSTIN D. SMITH, Circuit Judges.

PER CURIAM.

Benjamin Higgerson appeals after the district court¹ revoked his supervised release for the fourth time and sentenced him to a term above the advisory Sentencing

¹The Honorable Stephanie M. Rose, Chief Judge, United States District Court for the Southern District of Iowa.

Guidelines range. His counsel has moved for leave to withdraw and has filed a brief challenging the substantive reasonableness of the sentence.

We conclude that the revocation sentence was not an abuse of discretion, as there is no indication that the district court failed to consider a relevant factor, gave significant weight to an improper factor, or committed a clear error of judgment in weighing the relevant factors. *See United States v. DeMarrias*, 895 F.3d 570, 572-73 (8th Cir. 2018) (observing that revocation sentences are reviewed for an abuse of discretion); *United States v. Timberlake*, 679 F.3d 1008, 1012 (8th Cir. 2012) (noting that the sentencing court is presumed to have considered mitigating sentencing arguments and has substantial latitude to weigh the sentencing factors).

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