

United States Court of Appeals  
For the Eighth Circuit

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No. 13-2444

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United States of America

*Plaintiff - Appellee*

v.

Nicholas E. Parris

*Defendant - Appellant*

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Appeal from United States District Court  
for the Western District of Missouri - Kansas City

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Submitted: March 20, 2014

Filed: March 27, 2014

[Unpublished]

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Before MURPHY, COLLOTON, and BENTON, Circuit Judges.

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PER CURIAM.

Nicholas Eugene Parris directly appeals the district court's<sup>1</sup> judgment revoking his supervised release, and sentencing him to 24 months in prison and 1 year of

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<sup>1</sup>The Honorable Greg Kays, Chief Judge, United States District Court for the Western District of Missouri.

supervised release. Counsel has filed a brief under *Anders v. California*, 386 U.S. 738 (1967) in which he seeks to withdraw and argues that the sentence was greater than necessary to achieve the sentencing goals of 18 U.S.C. § 3553(a).

This court concludes that the district court did not commit any procedural sentencing error and the sentence was not substantively unreasonable. The district court identified the relevant sentencing factors; discussed the nature of Parris's violations, his history and characteristics, and the need to deter him from further criminal conduct. The district court did not err in weighing the sentencing factors, varying from the Guidelines, and imposing the maximum sentence. *See United States v. Miller*, 557 F.3d 910, 916-17 (8th Cir. 2009) (this court reviews revocation sentence for abuse of discretion, first ensuring there was no significant procedural error, and then considering substantive reasonableness; outlining applicable considerations); *United States v. Merrival*, 521 F.3d 889, 890-91 (8th Cir. 2008) (affirming maximum revocation prison sentence of 24 months, where defendant had been given repeated chances but continued to abuse alcohol and drugs, and district court found that further supervision would be inadequate to deter or rehabilitate him). The judgment of the district court is affirmed.

Counsel's motion to withdraw is granted, subject to counsel informing appellant about the procedures for seeking rehearing from this court and for filing a petition for a writ of certiorari.

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