

United States Court of Appeals  
For the Eighth Circuit

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No. 16-4352

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United States of America

*Plaintiff - Appellee*

v.

Blaine Stacy Kills Back

*Defendant - Appellant*

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Appeal from United States District Court  
for the District of South Dakota - Rapid City

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Submitted: July 27, 2017

Filed: August 1, 2017

[Unpublished]

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Before GRUENDER, BOWMAN, and SHEPHERD, Circuit Judges.

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PER CURIAM.

Blaine Stacy Kills Back directly appeals the above-Guidelines-range sentence the district court<sup>1</sup> imposed upon revoking his supervised release. His counsel has

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<sup>1</sup>The Honorable Jeffrey L. Viken, Chief Judge, United States District Judge for the District of South Dakota.

moved for leave to withdraw, and has filed a brief arguing that the sentence is unreasonable.

After careful review of the record, we conclude that the district court did not abuse its discretion in sentencing Kills Back. See United States v. Miller, 557 F.3d 910, 915-18 (8th Cir. 2009) (standard of review); United States v. Larison, 432 F.3d 921, 922-24 (8th Cir. 2006) (revocation sentence may be unreasonable if district court fails to consider relevant § 3553(a) factor, gives significant weight to improper or irrelevant factor, or commits clear error of judgment). Accordingly, we grant counsel's motion to withdraw, and affirm the judgment.

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