

United States Court of Appeals
For the Eighth Circuit

No. 19-3546

United States of America

Plaintiff - Appellee

v.

Leighton Lyle Leroy Munger

Defendant - Appellant

Appeal from United States District Court
for the District of Minnesota

Submitted: June 15, 2020

Filed: August 3, 2020

[Unpublished]

Before KELLY, ERICKSON, and STRAS, Circuit Judges.

PER CURIAM.

After Leighton Lyle Leroy Munger admitted to violating the conditions of supervised release by failing a drug test and leaving a halfway house without permission, the district court¹ gave him a within-Guidelines-range sentence of 14

¹The Honorable Joan N. Ericksen, United States District Judge for the District of Minnesota.

months in prison. He challenges the substantive reasonableness of the sentence, including the weight placed on various mitigating factors.

We conclude that Munger's sentence is substantively reasonable. *See United States v. Miller*, 557 F.3d 910, 917 (8th Cir. 2009) (reviewing the reasonableness of a revocation sentence for an abuse of discretion); *United States v. Perkins*, 526 F.3d 1107, 1110 (8th Cir. 2008) (stating that a within-Guidelines-range sentence is presumptively reasonable). The record establishes that the district court sufficiently considered the statutory sentencing factors, 18 U.S.C. §§ 3553(a), 3583(e)(3), and did not rely on an improper factor or commit a clear error of judgment. *See United States v. Larison*, 432 F.3d 921, 923–24 (8th Cir. 2006). Accordingly, we affirm the judgment of the district court.
