

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 21-4313**

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UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

TANARIUS ROYAL,

Defendant - Appellant.

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**No. 21-4314**

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UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

TANARIUS ROYAL,

Defendant - Appellant.

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Appeals from the United States District Court for the Eastern District of North Carolina, at  
Raleigh. Louise W. Flanagan, District Judge. (5:19-cr-00508-FL-1; 5:16-cr-00103-FL-1)

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Submitted: May 20, 2022

Decided: June 8, 2022

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Before DIAZ and HARRIS, Circuit Judges, and FLOYD, Senior Circuit Judge.

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Affirmed by unpublished per curiam opinion.

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**ON BRIEF:** G. Alan DuBois, Federal Public Defender, Eric Joseph Brignac, Chief Appellate Attorney, OFFICE OF THE FEDERAL PUBLIC DEFENDER, Raleigh, North Carolina, for Appellant. Michael F. Easley, Jr., United States Attorney, David A. Bragdon, Assistant United States Attorney, Joshua L. Rogers, Assistant United States Attorney, OFFICE OF THE UNITED STATES ATTORNEY, Raleigh, North Carolina, for Appellee.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

In No. 21-2314, Tanarius Royal appeals the 18-month sentence imposed upon the revocation of his supervised release. On appeal, Royal argues that the revocation sentence is substantively unreasonable because the district court should have imposed the sentences to be served concurrently with one another.\*

“A district court has broad discretion when imposing a sentence upon revocation of supervised release.” *United States v. Webb*, 738 F.3d 638, 640 (4th Cir. 2013). Thus, “[w]e affirm a revocation sentence so long as it is within the prescribed statutory range and is not plainly unreasonable.” *United States v. Coston*, 964 F.3d 289, 296 (4th Cir. 2020) (internal quotation marks omitted), *cert. denied*, 141 S. Ct. 1252 (2021). Royal’s sentence does not exceed the applicable statutory maximum. Accordingly, the remaining question is whether the sentence is plainly unreasonable. When reviewing whether a revocation sentence is plainly unreasonable, we first “determine whether the sentence is unreasonable at all.” *Id.* (internal quotation marks omitted). “In making this determination, we follow generally the procedural and substantive considerations that we employ in our review of original sentences, with some necessary modifications to take into account the unique nature of supervised release revocation sentences.” *United States v. Slappy*, 872 F.3d 202, 207 (4th Cir. 2017) (cleaned up). “A revocation sentence is substantively reasonable if, in

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\* In No. 21-4313, Royal appeals the 30-month sentence imposed following his guilty plea to possession of a firearm by a convicted felon, in violation of 18 U.S.C. §§ 922(g), 924. However, he acknowledges that his plea agreement waived the right to challenge his conviction and sentence on that offense, and he has not contested the plea, the conviction, or the sentence in this appeal.

light of the totality of the circumstances, the court states an appropriate basis for concluding that the defendant should receive the sentence imposed.” *Coston*, 964 F.3d at 297 (internal quotation marks omitted).

Here, the district court considered the appropriate statutory factors and Royal’s mitigation arguments, gave sufficiently detailed reasons for selecting its within-policy-statement range sentence, and explicitly tempered its chosen sentence in light of Royal’s argument regarding his prior sentence. Accordingly, we conclude that Royal’s sentence is substantively reasonable.

We therefore affirm the district court’s judgments. We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before this court and argument would not aid the decisional process.

*AFFIRMED*