

**United States Court of Appeals**  
**FOR THE EIGHTH CIRCUIT**

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No. 07-1282

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United States of America,

Appellee,

v.

Gail Burshiem,

Appellant.

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Appeal from the United States  
District Court for the  
District of South Dakota.

[UNPUBLISHED]

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Submitted: September 7, 2007

Filed: October 4, 2007

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Before BYE, RILEY, and MELLOY, Circuit Judges.

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PER CURIAM.

Gail Burshiem (Burshiem) pled guilty to obtaining controlled substances by fraud, in violation of 21 U.S.C. §§ 843(a)(3) and 846, and was sentenced to four years' probation. Finding Burshiem violated the conditions of her probation, the district court<sup>1</sup> later revoked Burshiem's probation and sentenced her to 9 months' imprisonment and 12 months' supervised release. On appeal, Burshiem's counsel moved to withdraw and filed a brief arguing the sentence imposed is unreasonable. After reviewing the record and counsel's brief, we conclude the court considered

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<sup>1</sup>The Honorable Karen E. Schreier, Chief Judge, United States District Court for the District of South Dakota.

relevant 18 U.S.C. § 3553(a) factors and did not impose an unreasonable sentence. See United States v. Tyson, 413 F.3d 824, 825 (8th Cir. 2005) (per curiam) (standard of review). We therefore affirm, and we grant counsel's motion to withdraw.

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