

United States Court of Appeals
FOR THE EIGHTH CIRCUIT

No. 08-3050

United States of America,

Appellee,

v.

Veronica Perales, also known
as Veronica Ramirez,

Appellant.

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Appeal from the United States
District Court for the
District of Nebraska.

[UNPUBLISHED]

Submitted: October 27, 2009
Filed: November 9, 2009

Before MURPHY, COLLOTON, and SHEPHERD, Circuit Judges.

PER CURIAM.

Veronica Perales appeals the sentence the district court¹ imposed upon revoking her supervised release, arguing that the sentence should have been more lenient, and that the court abused its discretion and failed properly to consider the 18 U.S.C. § 3553(a) sentencing factors. Upon careful review, we conclude that the revocation sentence was not unreasonable. See United States v. Tyson, 413 F.3d 824, 825 (8th Cir. 2005) (per curiam) (standard of review). The sentence is within the statutory

¹The Honorable Richard G. Kopf, United States District Judge for the District of Nebraska.

limits of 18 U.S.C. § 3583(e)(3). Furthermore, contrary to Perales's argument, the court explicitly considered multiple relevant section 3553(a) factors, including Perales's violations of supervised release, the high risk that she would commit new felonious conduct, the prior sentencing leniency given to her, and the need for substance abuse treatment that best could be provided in prison. Cf. United States v. Larison, 432 F.3d 921, 922-24 (8th Cir. 2006) (record must show that court considered relevant matters and stated reason for its decision; no error in imposing 60-month sentence that exceeded Guidelines recommended range of 5-11 months, where sentence was within statutory maximum, court expressed grave concern over defendant's numerous and repeated violations of supervised release and inability to complete drug treatment programs, and defendant persisted in criminal conduct despite many chances afforded by probation office).

Accordingly, we affirm.
