

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

No. 10-1877

United States of America,

Appellee,

v.

Charles Edward Thomas,

Appellant.

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Appeal from the United States
District Court for the
Northern District of Iowa.

[UNPUBLISHED]

Submitted: September 29, 2010

Filed: October 5, 2010

Before LOKEN, MURPHY, and BENTON, Circuit Judges.

PER CURIAM.

While Charles Thomas was serving the supervised release portion of his sentence for failing to register as a sex offender, the district court¹ found that he violated his release conditions. The court revoked supervised release and imposed a revocation sentence of 12 months in prison and 8 years of supervised release. Thomas appeals, arguing that his revocation sentence is unreasonable.

¹The Honorable Linda R. Reade, Chief Judge, United States District Court for the Northern District of Iowa.

We conclude that the revocation sentence is not unreasonable, because the court properly considered relevant sentencing factors, including the repetitive nature of some of the violations and the fact that one violation involved opening an electronic mail file containing pornography. *See United States v. Thunder*, 553 F.3d 605, 608-09 (8th Cir. 2009). Further, the revocation sentence is within statutory limits. *See* 18 U.S.C. § 3583(e)(3), (h).

Accordingly, we affirm the judgment of the district court; we grant counsel's motion to withdraw, subject to counsel informing appellant about procedures for seeking rehearing or filing a petition for certiorari; and we deny Thomas's pending motion for appointment of counsel.
