

United States Court of Appeals
FOR THE EIGHTH CIRCUIT

Nos. 11-1706/1707

United States of America,

Appellee,

v.

Arrmon H. Daugherty,

Appellant.

*
*
*
*
*
*
*
*
*

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

[UNPUBLISHED]

Submitted: July 7, 2011

Filed: July 11, 2011

Before LOKEN, MURPHY, and COLLOTON, Circuit Judges.

PER CURIAM.

In these consolidated appeals, federal prisoner Arrmon Daugherty challenges the district court's¹ amended judgments reducing his sentences pursuant to Federal Rule of Criminal Procedure 35(b). On appeal, he argues that the extent of the reductions did not adequately reflect his assistance to the government and his attempts to rehabilitate himself.

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

This court lacks jurisdiction to review Daugherty's Rule 35(b) sentences. See 18 U.S.C. § 3742(a) (defendant may seek review of an otherwise final sentence if sentence (1) was imposed in violation of law; (2) was imposed as result of incorrect application of sentencing guidelines; (3) is greater than sentence specified in applicable guidelines range; or (4) was imposed for offense for which there is no sentencing guideline and is plainly unreasonable); United States v. Haskins, 479 F.3d 955, 957 (8th Cir. 2007) (per curiam) (jurisdiction over appeal of Rule 35(b) sentence is governed by § 3742(a); dismissing inmate's appeal of Rule 35(b) sentence for lack of jurisdiction because arguments raised did not satisfy § 3742(a) criteria); United States v. Coppedge, 135 F.3d 598, 599 (8th Cir. 1998) (per curiam) (concluding that inmate's challenge to extent of sentence reduction was unreviewable because he was not appealing sentence based on any criteria listed in § 3742(a)).

Accordingly, we dismiss these appeals for lack of jurisdiction, and we grant counsel leave to withdraw, subject to counsel informing Daugherty about procedures for seeking rehearing or filing a petition for certiorari.
