

United States Court of Appeals
For the Eighth Circuit

No. 12-1556

United States of America

Plaintiff - Appellee

v.

Parker Willingham

Defendant - Appellant

Appeal from United States District Court
for the Western District of Missouri - Kansas City

Submitted: September 4, 2012

Filed: September 5, 2012
Unpublished

BYE, GRUENDER, and BENTON, Circuit Judges.

PER CURIAM.

Parker Willingham appeals the sentence that the district court¹ imposed after revoking his supervised release. His counsel has filed a brief under *Anders v.*

¹The Honorable Nanette K. Laughrey, United States District Judge for the Western District of Missouri.

California, 386 U.S. 738 (1967), and seeks leave to withdraw. In the *Anders* brief, counsel argues that the sentence is unreasonable, because it is greater than necessary to meet the statutory goals of sentencing, and that the court failed to adequately consider and weigh the sentencing factors.

This court reviews a sentence for abuse of discretion, first ensuring that the district court committed no significant procedural error, such as failing to consider relevant 18 U.S.C. § 3553(a) factors, and then considering the substantive reasonableness of the sentence. *See United States v. Miller*, 557 F.3d 910, 915-16 (8th Cir. 2009). Willingham did not argue below that any procedural error occurred, and this court finds no reversible procedural error. *See United States v. Molnar*, 590 F.3d 912, 914-15 (8th Cir. 2010) (reviewing for plain error when defendant did not object below). This court also finds that the 24-month prison sentence is reasonable. First, it is within statutory limits. *See* 18 U.S.C. § 3583(e)(3). Second, the district court expressly discussed its reasons for the sentence, including Willingham's poor history on supervision, the court's belief that he was immature, lacked appreciation or remorse for his wrongful conduct, needed two years in prison to maximize his potential for rehabilitation, and the court's overriding concern for community safety. *See* 18 U.S.C. § 3553(a)(1) (nature and circumstances of offense, history and characteristics of defendant), (a)(2)(A)-(C) (need for sentence imposed to promote respect for the law, provide just punishment, deter criminal conduct, and protect public from further crimes of defendant); *see also United States v. Perkins*, 526 F.3d 1107, 1110 (8th Cir. 2008) (court reviews revocation sentence for abuse of discretion, ensuring sentence is reasonable).

This court affirms, and grants counsel leave to withdraw.
