

United States Court of Appeals
For the Eighth Circuit

No. 12-3435

United States of America

Appellee

v.

Darrel Lee Henry

Appellant

Appeal from United States District Court
for the District of Nebraska

Submitted: May 13, 2013

Filed: May 24, 2013

[Unpublished]

Before SHEPHERD, ARNOLD, and MELLOY, Circuit Judges.

PER CURIAM.

After Darrel Henry pleaded guilty to failing to register as a sex offender under the Sex Offender Registration and Notification Act, *see* 18 U.S.C. § 2250(a), the

district court¹ sentenced him to 15 months' incarceration and ten years of supervised release. Mr. Henry appeals, contending that his ten-year term of supervision is unreasonable.

We review the substantive reasonableness of the length of supervision for an abuse of discretion. *See United States v. Zoran*, 682 F.3d 1060, 1065 (8th Cir. 2012); *United States v. Brewer*, 628 F.3d 975, 978 (8th Cir. 2010), *cert. denied*, 132 S. Ct. 126 (2011). When setting a term of supervision, a district court must consider virtually all of the sentencing factors in 18 U.S.C. § 3553(a), *see* 18 U.S.C. § 3583(c), and Mr. Henry maintains that the district court "made a serious error in judgment in weighing" the § 3553(a) sentencing goals when setting his term at ten years. But district courts have "wide latitude to weigh the § 3553(a) factors in each case and assign some factors greater weight than others in determining an appropriate sentence." *United States v. Bridges*, 569 F.3d 374, 379 (8th Cir. 2009). Having carefully reviewed the record, we discern no basis for concluding that the district court abused its discretion in weighing the relevant factors or setting Mr. Henry's term of supervision, particularly given his "history and characteristics," 18 U.S.C. § 3553(a)(1), and "need for the sentence imposed" to provide him with "medical care ... [and] other correctional treatment in the most effective manner," 18 U.S.C. § 3553(a)(2). We note, moreover, that ten years of supervision is well below a term of life, which is Mr. Henry's statutory maximum. 18 U.S.C. § 3583(k); *see Brewer*, 628 F.3d at 978.

Affirmed.

¹The Honorable Joseph F. Bataillon, United States District Judge for the District of Nebraska.