

United States Court of Appeals
For the Eighth Circuit

No. 14-2317

United States of America

Plaintiff - Appellee

v.

Justin Joseph Halter

Defendant - Appellant

Appeal from United States District Court
for the Southern District of Iowa - Davenport

Submitted: October 15, 2014

Filed: October 21, 2014

[Unpublished]

Before WOLLMAN, BYE, and SMITH, Circuit Judges.

PER CURIAM.

Justin Halter directly appeals following the district court's¹ revocation of his supervised release. He argues that the court abused its discretion in revoking supervised release and in imposing a 9-month prison sentence.

We conclude that the court did not abuse its discretion in revoking supervised release based on its finding that Halter had violated his release conditions, given Halter's admissions and the testimony of his probation officer, which the court was entitled to credit. See United States v. Edwards, 400 F.3d 591, 592 (8th Cir. 2005) (per curiam) (given defendant's admission of violation, there was no clear error in fact findings supporting revocation, and no abuse of discretion in decision to revoke); United States v. Carothers, 337 F.3d 1017, 1019 (8th Cir. 2003) (court's credibility determinations at revocation hearing are virtually unreviewable on appeal). We also conclude that the within-Guidelines-range revocation sentence is not unreasonable. See United States v. Petreikis, 551 F.3d 822, 824 (8th Cir. 2009).

Accordingly, we affirm the judgment of the district court. We also grant counsel's motion for leave to withdraw.

¹The Honorable John A. Jarvey, United States District Judge for the Southern District of Iowa.