

United States Court of Appeals
For the Eighth Circuit

No. 14-3233

United States of America

Plaintiff - Appellee

v.

Floyd Frank Ezell

Defendant - Appellant

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

Submitted: December 15, 2014

Filed: December 22, 2014

[Unpublished]

Before SMITH, BOWMAN, and COLLOTON, Circuit Judges.

PER CURIAM.

Floyd Ezell directly appeals the sentence that the district court¹ imposed on him after revoking his supervised release. For reversal, Ezell argues that the court abused

¹The Honorable Robert W. Pratt, United States District Judge for the Southern District of Iowa.

its discretion in failing to credit against his 4-month revocation sentence the time that he spent in state custody on a drug charge. This challenge is without merit. See United States v. Wilson, 503 U.S. 329, 333-35 (1992) (18 U.S.C. § 3585(b) does not authorize district court, at sentencing, to compute credit for time served). To the extent Ezell's argument encompasses a claim that the revocation sentence imposed is unreasonable, we conclude after careful review that the below-Guidelines-range sentence is not unreasonable. See United States v. Miller, 557 F.3d 910, 915-16 (8th Cir. 2009) (appellate review of revocation sentence). Accordingly, we affirm the judgment of the district court. We also grant counsel's motion for leave to withdraw.
