

**United States Court of Appeals**  
**For the Eighth Circuit**

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No. 15-1941

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United States of America

*Plaintiff - Appellee*

v.

Andrew Spotted Elk

*Defendant - Appellant*

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Appeal from United States District Court  
for the District of South Dakota - Pierre

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Submitted: August 19, 2015

Filed: August 24, 2015

[Unpublished]

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Before WOLLMAN, SMITH, and BENTON, Circuit Judges.

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PER CURIAM.

Andrew Spotted Elk directly appeals the sentence that the district court<sup>1</sup> imposed upon revoking his supervised release, arguing that his six-month prison

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<sup>1</sup>The Honorable Roberto A. Lange, United States District Judge for the District of South Dakota.

sentence is substantively unreasonable. Upon careful review, see United States v. Miller, 557 F.3d 910, 915-16 (8th Cir. 2009) (appellate review of revocation sentence), we conclude that the within-Guidelines-range sentence is not substantively unreasonable, see United States v. Petreikis, 551 F.3d 822, 824 (8th Cir. 2009). We grant counsel's motion to withdraw. The judgment is affirmed.

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