

United States Court of Appeals
For the Eighth Circuit

No. 15-3968

United States of America

Plaintiff - Appellant

v.

Kevin Shook

Defendant - Appellant

Appeal from United States District Court
for the Northern District of Iowa - Sioux City

Submitted: May 13, 2016

Filed: May 19, 2016

[Unpublished]

Before MURPHY, BOWMAN, and BENTON, Circuit Judges.

PER CURIAM.

Kevin Shook appeals after the district court¹ denied his motion for a sentence reduction under 18 U.S.C. § 3582(c)(2). In declining to reduce Shook’s sentence, the

¹The Honorable Linda R. Reade, Chief Judge, United States District Court for the Northern District of Iowa.

district court found that a reduction was not warranted in light of his criminal history and the circumstances of the offense. We see no basis for reversal, as the district court's finding that a reduction was not warranted was not an abuse of discretion. See Dillon v. United States, 560 U.S. 817, 827 (2010) (§ 3582(c) authorizes district court to reduce sentence by applying amended Guidelines range as if it were in effect at time of original sentencing, and leaving all other Guidelines determinations intact as previously determined); United States v. Long, 757 F.3d 762, 763 (8th Cir. 2014) (de novo review of whether § 3582(c)(2) authorizes modification, and abuse-of-discretion review of decision whether to grant authorized § 3582(c)(2) modification); United States v. Curry, 584 F.3d 1102, 1103-05 (8th Cir. 2009) (district court did not abuse its discretion in declining to reduce defendant's sentence under § 3582(c)(2) due to defendant's criminal history). The judgment is affirmed, and counsel's request to withdraw is granted.
