

United States Court of Appeals
For the Eighth Circuit

No. 16-1594

United States of America

Plaintiff - Appellee

v.

Robert L. O'Rourke

Defendant - Appellant

Appeal from United States District Court
for the Western District of Missouri - Joplin

Submitted: July 6, 2016

Filed: July 13, 2016

[Unpublished]

Before SMITH, ARNOLD, and SHEPHERD, Circuit Judges.

PER CURIAM.

Robert L. O'Rourke directly appeals after the district court¹ revoked his supervised release and sentenced him to 6 months in prison and 30 months of

¹The Honorable Brian C. Wimes, United States District Judge for the Western District of Missouri.

supervised release. After careful review, this court affirms. See United States v. Miller, 557 F.3d 910, 915-16 (8th Cir. 2009) (this court reviews revocation sentence for abuse of discretion, first reviewing for significant procedural error, and then considering substantive reasonableness). The district court identified the relevant sentencing factors, explained its reasons for the sentence, and did not commit a clear error of judgment. See id. at 917 (outlining substantive-reasonableness test); see also United States v. Hum, 766 F.3d 925, 927-28 (8th Cir. 2014) (per curiam) (rejecting argument that district court failed to adequately consider 18 U.S.C. § 3553(a) factors, as court properly considered defendant's history and noncompliance on supervision, and need to deter and maintain respect for court's directives).

The judgment is affirmed. Counsel's motion to withdraw is granted.
