

United States Court of Appeals
For the Eighth Circuit

No. 16-2262

United States of America

Plaintiff - Appellee

v.

Landein Charles Craddock

Defendant - Appellant

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

Submitted: November 15, 2016

Filed: November 18, 2016

[Unpublished]

Before SMITH, BOWMAN, and BENTON, Circuit Judges.

PER CURIAM.

After pleading guilty to robbery and firearm charges, Landein Charles Craddock appeals the district court's¹ order revoking his supervised release and

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

sentencing him to a total term of 46 months in prison, to run consecutively to a 15-year sentence imposed in the District of Kansas. Having jurisdiction under 28 U.S.C. § 1291, this court affirms.

The district court did not abuse its discretion in sentencing Craddock, as the court imposed the within-Guidelines sentence after considering the 18 U.S.C. § 3553(a) factors, and acted within its discretion in imposing consecutive sentences. *See United States v. Miller*, 557 F.3d 910, 917 (8th Cir. 2009) (under substantive-reasonableness test, district court abuses its discretion if it fails to consider relevant § 3553(a) factor, gives significant weight to improper or irrelevant factor, or commits clear error of judgment in weighing factors); *United States v. Petreikis*, 551 F.3d 822, 824 (8th Cir. 2009) (applying presumption of substantive reasonableness to revocation sentence within Guidelines range); U.S.S.G. § 7B1.3(f) (any term of imprisonment imposed upon revocation of supervised release shall be ordered to be served consecutively to any sentence of imprisonment that defendant is serving, whether or not sentence of imprisonment being served resulted from conduct that is basis of revocation); *United States v. Cotroneo*, 89 F.3d 510, 512 (8th Cir. 1996) (decision to impose consecutive or concurrent sentence upon revocation of supervised release is committed to sound discretion of district court).

The judgment is affirmed, and counsel's motion to withdraw is granted.
