

United States Court of Appeals
For the Eighth Circuit

No. 18-1582

United States of America

Plaintiff - Appellee

v.

Darryl Fonte Jackson

Defendant - Appellant

Appeal from United States District Court
for the Northern District of Iowa - Cedar Rapids

Submitted: July 17, 2018

Filed: July 30, 2018

[Unpublished]

Before LOKEN, COLLOTON, and BENTON, Circuit Judges.

PER CURIAM.

Darryl Jackson directly appeals the Guidelines-range sentence the district court¹ imposed upon revoking his supervised release. Having jurisdiction under 28 U.S.C. § 1291, this court affirms.

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

Jackson's counsel has moved for leave to withdraw and filed a brief under *Anders v. California*, 386 U.S. 738 (1967), arguing that the sentence is unreasonable because the district court did not adequately consider the substance abuse problem Jackson developed in prison.

After careful review, this court concludes that the district court did not impose an unreasonable sentence. *See United States v. Miller*, 557 F.3d 910, 915-18 (8th Cir. 2009) (appellate court first ensures no significant procedural error occurred, then considers substantive reasonableness of revocation sentence under deferential abuse-of-discretion standard). Counsel concedes that the Guidelines range was properly calculated. The record reflects that the district court considered and discussed relevant 18 U.S.C. § 3553(a) factors – including the danger Jackson's drug use posed to other residential reentry facility residents – and imposed a sentence that was within the Guidelines range and below the statutory limit. *See* 18 U.S.C. § 3583(e)(3) (maximum revocation prison term is 5 years if underlying offense is Class A felony); *United States v. Perkins*, 526 F.3d 1107, 1110 (8th Cir. 2008) (revocation sentence within Guidelines range is accorded a presumption of substantive reasonableness on appeal); *United States v. White Face*, 383 F.3d 733, 740 (8th Cir. 2004) (district court need not mechanically list every § 3553(a) factor when sentencing defendant upon revocation; all that is required is consideration of relevant matters and some reason for court's decision).

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