

United States Court of Appeals
For the Eighth Circuit

No. 20-3286

United States of America

Plaintiff - Appellee

v.

Raymond L. Wiley, Jr., also known as Raymon Wiley, also known as wileykorn

Defendant - Appellant

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

Submitted: April 5, 2021

Filed: April 8, 2021

[Unpublished]

Before COLLOTON, BENTON, and STRAS, Circuit Judges.

PER CURIAM.

Raymond L. Wiley appeals the above-Guidelines sentence the district court¹ imposed upon revoking his supervised release. Having jurisdiction under 28 U.S.C. § 1291, this court affirms.

Wiley's counsel has filed a brief challenging the sentence as substantively unreasonable. The district court did not impose a substantively unreasonable sentence. *See United States v. Miller*, 557 F.3d 910, 916 (8th Cir. 2009) (substantive reasonableness of revocation sentence is reviewed under deferential abuse-of-discretion standard); *cf. United States v. Feemster*, 572 F.3d 455, 464 (8th Cir. 2009) (en banc) ("it will be the unusual case when we reverse a district court sentence--whether within, above, or below the applicable Guidelines range--as substantively unreasonable"). The record reflects that the revocation sentence was within the statutory maximum, and that the court considered the 18 U.S.C. § 3553(a) factors. *See* 18 U.S.C. §§ 3583(e)(3) (maximum revocation prison term is 3 years if underlying offense is Class B felony), (h) (length of new supervised-release term shall not exceed term authorized by statute for offense of conviction, less revocation prison terms), (k) (for violation of 18 U.S.C. § 2422, the maximum term of supervised release is life); *United States v. Larison*, 432 F.3d 921, 922-924 (8th Cir. 2006) (revocation sentence may be unreasonable if district court fails to consider relevant § 3553(a) factor, gives significant weight to improper or irrelevant factor, or commits clear error of judgment).

The judgment is affirmed.

¹The Honorable Beth Phillips, Chief Judge, United States District Court for the Western District of Missouri.