

United States Court of Appeals
For the Eighth Circuit

No. 21-1322

United States of America

Plaintiff - Appellee

v.

Terrell Devon Lillybridge

Defendant - Appellant

Appeal from United States District Court
for the Southern District of Iowa - Eastern

Submitted: June 21, 2021

Filed: June 28, 2021

[Unpublished]

Before BENTON, WOLLMAN, and SHEPHERD, Circuit Judges.

PER CURIAM.

Terrell Devon Lillybridge 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 Stephanie M. Rose, United States District Judge for the Southern District of Iowa.

Lillybridge’s counsel has moved for leave to withdraw and has filed a brief challenging the sentence as substantively unreasonable. *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); *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 district court considered the 18 U.S.C. § 3553(a) factors – including the evidence Lillybridge offered in mitigation – 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 2 years if underlying offense is Class C felony); *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); *United States v. Perkins*, 526 F.3d 1107, 1110 (8th Cir. 2008) (revocation sentence within Guidelines range is accorded presumption of substantive reasonableness on appeal).

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