

United States Court of Appeals
For the Eighth Circuit

No. 22-2114

United States of America,

Plaintiff - Appellee,

v.

Gregory Richard Sills,

Defendant - Appellant.

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

Submitted: September 30, 2022

Filed: October 27, 2022

[Unpublished]

Before COLLOTON, KELLY, and KOBES, Circuit Judges.

PER CURIAM.

Gregory Sills appeals after the district court¹ revoked his supervised release and imposed a term of imprisonment, followed by an additional term of supervised

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

release. His counsel has moved to withdraw and filed a brief challenging the reasonableness of the sentence.

After reviewing the record under a deferential abuse-of-discretion standard, *see United States v. Miller*, 557 F.3d 910, 917 (8th Cir. 2009), we conclude the district court did not impose an unreasonable sentence. The sentence is within the statutory limits, *see* 18 U.S.C. § 3583(e)(3), (h); 21 U.S.C. § 841(b)(1)(C) (2016), and is presumptively reasonable because it is within the applicable advisory range under the sentencing guidelines. *See* U.S.S.G. § 7B1.4(a); *United States v. Petreikis*, 551 F.3d 822, 824 (8th Cir. 2009). The district court sufficiently considered the relevant statutory sentencing factors and did not overlook a relevant factor, give significant weight to an improper or irrelevant factor, or commit a clear error of judgment in weighing relevant factors. *See* 18 U.S.C. § 3583(e); *Miller*, 557 F.3d at 917; *see also United States v. Richart*, 662 F.3d 1037, 1054 (8th Cir. 2011). The court’s reasoned decision to impose “a sentence above [the] probation officer’s recommendation does not render [Sills’s] sentence substantively unreasonable.” *United States v. Wrice*, 834 Fed. Appx. 301, 302 (8th Cir. 2021) (per curiam).

Accordingly, we affirm the judgment and grant counsel’s motion to withdraw.
