

United States Court of Appeals
For the Eighth Circuit

No. 22-2833

United States of America

Plaintiff - Appellee

v.

Pollock Gerald Rush, Sr.

Defendant - Appellant

Appeal from United States District Court
for the Northern District of Iowa

Submitted: January 17, 2023

Filed: January 26, 2023

[Unpublished]

Before SHEPHERD, GRASZ, and KOBES, Circuit Judges.

PER CURIAM.

Pollock Rush, Sr. appeals after the district court¹ revoked his supervised release and, in an amended judgment, sentenced him to 24 months in prison, followed by 3

¹The Honorable C.J. Williams, United States District Judge for the Northern District of Iowa.

years of supervised release. His counsel moved to withdraw and filed a brief challenging the substantive reasonableness of the amended revocation sentence.

After careful review of the record, we conclude the district court did not abuse its discretion in imposing the amended revocation sentence. *See United States v. Miller*, 557 F.3d 910, 917-18 (8th Cir. 2009) (reviewing substantive reasonableness of revocation sentenced under deferential abuse-of-discretion standard). The record reflects the district court considered the 18 U.S.C. § 3553(a) factors; there is no indication the district court overlooked a relevant factor, gave significant weight to an improper or irrelevant factor, or committed a clear error of judgment in weighing the relevant factors, *see United States v. Larison*, 432 F.3d 921, 922-24 (8th Cir. 2006); and the amended revocation sentence is within the statutory maximum, *see* 18 U.S.C. § 3583(e)(3), (h), (k).

Accordingly, we grant counsel's motion to withdraw, and affirm.
