

United States Court of Appeals
FOR THE EIGHTH CIRCUIT

No. 03-3473

United States of America,

Appellee,

v.

Justin Harris,

Appellant.

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* Appeal from the United States
* District Court for the
* Northern District of Iowa
*
* [UNPUBLISHED]
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Submitted: March 4, 2004

Filed: March 25, 2004

Before MELLOY, HANSEN, and COLLOTON, Circuit Judges.

COLLOTON, Circuit Judge.

Justin Harris pleaded guilty to possession of a firearm as an unlawful user of controlled substances, in violation of 18 U.S.C. §§ 922(g)(3) and 924(a)(2), and the district court¹ sentenced him to 14 months imprisonment and 2 years supervised release. On appeal, counsel has moved to withdraw under Anders v. California, 386

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

U.S. 738 (1967), and has filed a brief in which he raises the validity of Harris's guilty plea and the length of Harris's sentence.

We find no merit in the issues raised in counsel's brief. Based on our review of the record, we conclude that the district court complied with Federal Rule of Criminal Procedure 11 in taking Harris's guilty plea, and that the sentence imposed is not subject to review, because it is within a properly determined sentencing guideline range. See 18 U.S.C. § 3742; United States v. Smotherman, 326 F.3d 988, 989 (8th Cir.) (per curiam), cert. denied, 124 S. Ct. 293 (2003).

Following our independent review, see Penson v. Ohio, 488 U.S. 75 (1988), we find no nonfrivolous issues. Accordingly, we affirm and we grant counsel's motion to withdraw.
