

United States Court of Appeals
FOR THE EIGHTH CIRCUIT

No. 05-1498

United States of America,

Appellee,

v.

Gregory Willis,

Appellant.

*

*

*

*

*

*

*

*

*

Appeal from the United States
District Court for the Eastern
District of Missouri.

[UNPUBLISHED]

Submitted: May 5, 2006
Filed: May 11, 2006

Before MELLOY, FAGG, and BENTON, Circuit Judges.

PER CURIAM.

Gregory Willis appeals the 180-month prison sentence the district court* imposed after Willis pleaded guilty to bank robbery. On appeal, counsel has moved to withdraw and has filed a brief under Anders v. California, 386 U.S. 738 (1967).

To the extent the Anders brief can be read to challenge the reasonableness of the sentence imposed, Willis's argument fails. See United States v. Dalton, 404 F.3d 1029, 1032 (8th Cir. 2005) (reasonableness standard of review under United States v.

*The Honorable Donald J. Stohr, United States District Judge for the Eastern District of Missouri.

Booker, 543 U.S. 220 (2005), is equivalent to abuse-of-discretion standard of review). The sentence was within the properly calculated Guidelines range, and there is nothing in the record to suggest Willis could meet his burden to rebut the presumption of reasonableness. See United States v. Lincoln, 413 F.3d 716, 717-18 (8th Cir.) (sentence within Guidelines range is presumptively reasonable; defendant bears burden to rebut presumption of reasonableness), cert. denied, 126 S. Ct. 840 (2005).

Having reviewed the record under Penson v. Ohio, 488 U.S. 75, 80 (1988), we conclude there are no nonfrivolous issues. Accordingly, we affirm the district court's judgment and grant counsel's motion to withdraw.
