

United States Court of Appeals
FOR THE EIGHTH CIRCUIT

No. 06-1694

United States of America,

Appellee,

v.

Jeffrey Lynn Brown,

Appellant.

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Appeal from the United States
District Court for the
Southern District of Iowa.

[UNPUBLISHED]

Submitted: July 20, 2006
Filed: August 4, 2006

Before MURPHY, BYE, and MELLOY, Circuit Judges.

PER CURIAM.

Jeffrey Brown appeals following imposition of sentence by the district court¹ upon his guilty plea to a charge of making a false statement while attempting to purchase a firearm, in violation of 18 U.S.C. § 922(a)(6). On appeal, his counsel has filed a brief under Anders v. California, 386 U.S. 738 (1967).

Counsel argues that Brown's sentence of 12 months and one day in prison, plus two years of supervised release, is greater than necessary to achieve the goals

¹The Honorable Robert W. Pratt, Chief Judge, United States District Court for the Southern District of Iowa.

presented in 18 U.S.C. § 3553(a) and is, therefore, unreasonable. This argument fails. The district court specifically discussed the section 3553(a) factors, and we find no indication that the court based its sentence on any improper or irrelevant factor. See United States v. Long Soldier, 431 F.3d 1120, 1123 (8th Cir. 2005) (relevant inquiry is whether court actually considered § 3553(a) factors and whether appellate court's review of factors leads to conclusion that they support reasonableness of district court's sentencing decision); United States v. Saenz, 428 F.3d 1159, 1164-65 (8th Cir. 2005) (there is range of reasonableness available to district court in any given case); United States v. Lincoln, 413 F.3d 716, 717-18 (8th Cir.) (sentence within Guidelines range is presumptively reasonable; district court must not base sentence on irrelevant or improper factor, and must not neglect relevant factors), cert. denied, 126 S. Ct. 840 (2005).

Having reviewed the record under Penon v. Ohio, 488 U.S. 75, 80 (1988), we conclude there are no nonfrivolous issues. Accordingly, we affirm the district court's judgment.
