

United States Court of Appeals
For the Eighth Circuit

No. 16-2114

United States of America

Plaintiff - Appellee

v.

Allyn John Koopman

Defendant - Appellant

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

Submitted: November 17, 2016

Filed: November 22, 2016

[Unpublished]

Before SMITH, BOWMAN, and BENTON, Circuit Judges.

PER CURIAM.

After pleading guilty to a drug offense, Allyn John Koopman appeals the district court's¹ order sentencing him to 100 months in prison with 3 years of

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

supervised release. His counsel has moved to withdraw, and filed a brief under *Anders v. California*, 386 U.S. 738 (1967), arguing that the sentence was unreasonable. Having jurisdiction under 28 U.S.C. § 1291, this court affirms.

The sentence was not substantively unreasonable, as the district court sentenced Koopman to a within-Guidelines sentence after stating that it had considered the 18 U.S.C. § 3553(a) factors. *See United States v. Callaway*, 762 F.3d 754, 760 (8th Cir. 2014) (on appeal, within-Guidelines-range sentence may be presumed reasonable); *United States v. Miller*, 557 F.3d 910, 917 (8th Cir. 2009) (under substantive-reasonableness test, district court abuses its discretion if it fails to consider relevant § 3553(a) factor, gives significant weight to improper or irrelevant factor, or commits clear error of judgment in weighing factors). An independent review of the record under *Penson v. Ohio*, 488 U.S. 75 (1988), reveals no non-frivolous issues for appeal.

The judgment is affirmed, and counsel's motion to withdraw is granted.
