

United States Court of Appeals  
For the Eighth Circuit

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No. 16-4572

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United States of America

*Plaintiff - Appellee*

v.

Allen Dwight Gailliot

*Defendant - Appellant*

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Appeal from United States District Court  
for the Western District of Arkansas - Fayetteville

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Submitted: July 19, 2017

Filed: July 25, 2017

[Unpublished]

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Before GRUENDER, BOWMAN, and SHEPHERD, Circuit Judges.

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PER CURIAM.

Allen Gailliot directly appeals after he pled guilty to a drug offense and the district court<sup>1</sup> sentenced him to a prison term below the calculated Guidelines range.

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<sup>1</sup>The Honorable Timothy L. Brooks, United States District Judge for the Western District of Arkansas.

His counsel has moved to withdraw, and has filed a brief under *Anders v. California*, 386 U.S. 738 (1967), arguing that Gailliot’s sentence is substantively unreasonable.

Upon careful review, we conclude that the district court did not impose a substantively unreasonable sentence. *See United States v. Feemster*, 572 F.3d 455, 461-62 (8th Cir. 2009) (en banc) (sentences are reviewed under deferential abuse-of-discretion standard; discussing substantive reasonableness); *see also United States v. McCauley*, 715 F.3d 1119, 1127 (8th Cir. 2013) (noting that when district court has varied below Guidelines range, it is “nearly inconceivable” that court abused its discretion in not varying downward further). In addition, having independently reviewed the record pursuant to *Penon v. Ohio*, 488 U.S. 75 (1988), we find no nonfrivolous issues for appeal. Accordingly, we grant counsel leave to withdraw, and we affirm.

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