

United States Court of Appeals
For the Eighth Circuit

No. 17-2420

United States of America,

Plaintiff - Appellee,

v.

Maria Hernandez-Sotelo, also known as Maria Renaye De Leon,

Defendant - Appellant.

Appeal from United States District Court
for the Northern District of Iowa - Ft. Dodge

Submitted: December 13, 2017

Filed: December 18, 2017

[Unpublished]

Before WOLLMAN, LOKEN, and COLLOTON, Circuit Judges.

PER CURIAM.

Maria Hernandez-Sotelo (Hernandez) directly appeals the within-Guidelines-range sentence the district court¹ imposed after she pled guilty to misusing a social

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

security number. Counsel has moved for leave to withdraw, and has filed a brief under *Anders v. California*, 386 U.S. 738 (1967), arguing that the district court committed plain procedural error by failing to explain adequately the reasons for Hernandez’s sentence, and questioning the reasonableness of the sentence.

After careful review, we conclude that no plain procedural error occurred, as the record as a whole demonstrates that the district court considered the relevant factors under 18 U.S.C. § 3553(a). *See United States v. Chavarria-Ortiz*, 828 F.3d 668, 670-71 (8th Cir. 2016) (discussing standard of review where defendant did not object to sufficiency of explanation at sentencing); *see also United States v. Krzyzaniak*, 702 F.3d 1082, 1085 (8th Cir. 2013). We also conclude that the district court did not impose an unreasonable sentence. *See United States v. Feemster*, 572 F.3d 455, 461 (8th Cir. 2009) (en banc) (reviewing sentence under deferential abuse-of-discretion standard; discussing substantive reasonableness); *see also United States v. Callaway*, 762 F.3d 754, 760 (8th Cir. 2014) (presuming sentence within Guidelines range is reasonable). In addition, having independently reviewed the record under *Penson v. Ohio*, 488 U.S. 75 (1988), we find no non-frivolous issues for appeal.

Accordingly, we grant counsel’s motion to withdraw. The judgment is affirmed.
