

United States Court of Appeals
For the Eighth Circuit

No. 17-2983

United States of America

Plaintiff - Appellee

v.

Edgar Fabian Hernandez

Defendant - Appellant

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

Submitted: May 15, 2018

Filed: May 25, 2018

[Unpublished]

Before COLLOTON, BOWMAN, and SHEPHERD, Circuit Judges.

PER CURIAM.

Edgar Hernandez directly appeals the sentence the district court¹ imposed after he pled guilty to a drug charge and was sentenced to 252 months in prison. His

¹The Honorable Leonard T. Strand, Chief Judge, United States District Court for the Northern District of Iowa.

counsel has moved for leave to withdraw, and has filed a brief under Anders v. California, 386 U.S. 738 (1967), challenging a Guidelines enhancement and arguing that the sentence is substantively unreasonable. Hernandez has not filed a pro se brief.

We find no error in the district court's calculation of the Guidelines range. See United States v. Turner, 781 F.3d 374, 393 (8th Cir. 2015) (this court reviews district court's application of Guidelines de novo, and its findings of fact for clear error). Further, we conclude that the district court did not impose a substantively unreasonable sentence. See United States v. Feemster, 572 F.3d 455, 461 (8th Cir. 2009) (en banc) (discussing appellate review of sentencing decisions). In addition, we have independently reviewed the record under Penson v. Ohio, 488 U.S. 75 (1988), and have found no nonfrivolous issues for appeal. Accordingly, we grant counsel's motion to withdraw, and we affirm.
