

United States Court of Appeals  
For the Eighth Circuit

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No. 18-2166

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United States of America

*Plaintiff - Appellee*

v.

Zackery Marvin Leroy Jones

*Defendant - Appellant*

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Appeal from United States District Court  
for the Southern District of Iowa - Davenport

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Submitted: March 15, 2019

Filed: March 28, 2019

[Unpublished]

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Before GRUENDER, SHEPHERD, and STRAS, Circuit Judges.

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PER CURIAM.

Zackery Jones directly appeals after he pleaded guilty to a drug offense and the district court<sup>1</sup> sentenced him to a within-Guidelines prison term. His counsel has

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<sup>1</sup>The Honorable Stephanie M. Rose, United States District Judge for the Southern District of Iowa.

moved for leave to withdraw, and has filed a brief under Anders v. California, 386 U.S. 738 (1967), challenging the sentence.

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) (substantive reasonableness is reviewed for abuse of discretion); see also United States v. Callaway, 762 F.3d 754, 760 (8th Cir. 2014) (on appeal, within-Guidelines-range sentence may be presumed reasonable). The record establishes that the district court adequately considered the sentencing factors listed in 18 U.S.C. § 3553(a). See United States v. Wohlman, 651 F.3d 878, 887 (8th Cir. 2011) (court need not mechanically recite § 3553(a) factors, so long as it is clear from record that court actually considered them in determining sentence).

We have also independently reviewed the record under Penson v. Ohio, 488 U.S. 75 (1988), and we find no non-frivolous issues for appeal. Accordingly, we affirm the judgment, and we grant counsel's motion to withdraw.

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