

United States Court of Appeals
For the Eighth Circuit

No. 18-2475

United States of America

Plaintiff - Appellee

v.

Gage Ferdinand Skola

Defendant - Appellant

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

Submitted: March 5, 2019
Filed: March 11, 2019
[Unpublished]

Before BENTON, BOWMAN, and GRASZ, Circuit Judges.

PER CURIAM.

Gage Ferdinand Skola appeals the above-Guidelines sentence the district court¹ imposed after he pled guilty to being a felon in possession of a firearm. Counsel has moved for leave to withdraw and has filed a brief under *Anders v. California*, 386 U.S. 738 (1967), arguing that the sentence is substantively unreasonable. Having jurisdiction under 28 U.S.C. § 1291, this court affirms.

After careful review, this court concludes that the district court did not abuse its discretion in sentencing Skola, as the record reflects the district court properly considered the 18 U.S.C. § 3553(a) factors. *See United States v. Feemster*, 572 F.3d 455, 461-62, 464 (8th Cir. 2009) (en banc) (appellate court first ensures no significant procedural error occurred, then considers substantive reasonableness of sentence under deferential abuse-of-discretion standard); *United States v. Thorne*, 896 F.3d 861, 862-63 (8th Cir. 2018) (per curiam) (affirming upward variance of 83 months where court properly weighed § 3553(a) factors); *United States v. Mangum*, 625 F.3d 466, 469-70 (8th Cir. 2010) (upward variance was reasonable where court made individualized assessment based on the facts presented). This court has independently reviewed the record under *Penon v. Ohio*, 488 U.S. 75 (1988), and finds no nonfrivolous issues for appeal.

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

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