

**United States Court of Appeals**  
**For the Eighth Circuit**

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No. 18-2415

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United States of America

*Plaintiff - Appellee*

v.

Selica Jane Fender

*Defendant - Appellant*

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Appeal from United States District Court  
for the District of North Dakota - Fargo

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Submitted: April 1, 2019

Filed: April 23, 2019

[Unpublished]

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Before BENTON, BOWMAN, and GRASZ, Circuit Judges.

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PER CURIAM.

Selica Fender appeals from the sentence the District Court<sup>1</sup> imposed after she pleaded guilty to a drug offense. Her counsel has moved to withdraw and has filed a brief under Anders v. California, 386 U.S. 738 (1967).

Counsel argues that the District Court erred in denying safety-valve relief under 18 U.S.C. § 3553(f). We reject this argument because we conclude that Fender failed to establish that she qualified for the relief sought. See United States v. Guerra-Cabrera, 477 F.3d 1021, 1025 (8th Cir. 2007) (stating that defendants must establish that they qualify for safety-valve relief).

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

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<sup>1</sup>The Honorable Donovan W. Frank, United States District Judge for the District of Minnesota, sitting by designation.