

United States Court of Appeals
For the Eighth Circuit

No. 18-3185

United States of America

Plaintiff - Appellee

v.

Delbert Clay Feezell

Defendant - Appellant

Appeal from United States District Court
for the Western District of Missouri - Joplin

Submitted: May 2, 2019

Filed: May 7, 2019

[Unpublished]

Before LOKEN, GRUENDER, and SHEPHERD, Circuit Judges.

PER CURIAM.

Delbert Clay Feezell directly appeals the within-Guidelines sentence the district court¹ imposed after he pleaded guilty to receiving and distributing child pornography.

¹The Honorable Beth Phillips, Chief Judge, United States District Court for the Western District of Missouri.

His 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.

Upon careful review, we find no basis to disturb the district court's sentence. *See United States v. Feemster*, 572 F.3d 455, 461-62 (8th Cir. 2009) (en banc) (stating that sentences are reviewed under a deferential abuse-of-discretion standard and discussing substantive reasonableness); *United States v. St. Claire*, 831 F.3d 1039, 1043 (8th Cir. 2016) (noting that a within-Guidelines sentence is accorded a presumption of substantive reasonableness on appeal); *see also United States v. Nguyen*, 46 F.3d 781, 783 (8th Cir. 1995) (finding that, where a defendant "explicitly and voluntarily" exposed himself to a specific sentence, a direct challenge to the sentence was foreclosed).

Having independently reviewed the record pursuant to *Penson v. Ohio*, 488 U.S. 75 (1988), we find no nonfrivolous issues for appeal. Accordingly, we grant counsel leave to withdraw, and we affirm.
