

United States Court of Appeals
For the Eighth Circuit

No. 18-3101

United States of America

Plaintiff - Appellee

v.

Richard Thomas Hense, also known as Dick Hense

Defendant - Appellant

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

Submitted: June 5, 2019

Filed: June 10, 2019

[Unpublished]

Before BENTON, STRAS, and KOBES, Circuit Judges.

PER CURIAM.

Richard Hense appeals the sentence imposed by the district court¹ after he pleaded guilty to drug and firearm offenses. His counsel has moved for leave to

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

withdraw and has filed a brief under Anders v. California, 386 U.S. 738 (1967), arguing that the sentence was unreasonable.

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) (sentences are reviewed for substantive reasonableness under deferential abuse of discretion standard; abuse of discretion occurs when court fails to consider significant factor, gives weight to improper or irrelevant factor, or commits clear error of judgment in weighing appropriate factors). 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 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. We affirm the judgment and grant counsel's motion to withdraw.
