

United States Court of Appeals
For the Eighth Circuit

No. 19-2807

United States of America

Plaintiff - Appellee

v.

Antonio Gipson

Defendant - Appellant

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

Submitted: February 10, 2020

Filed: February 24, 2020

[Unpublished]

Before LOKEN, BEAM, and COLLOTON, Circuit Judges.

PER CURIAM.

Antonio Gipson appeals the sentence the district court¹ imposed after he pleaded guilty to a drug offense. His counsel has moved to withdraw and has filed

¹The Honorable John A. Jarvey, Chief Judge, United States District Court for the Southern District of Iowa.

a brief under Anders v. California, 386 U.S. 738 (1967), challenging the substantive reasonableness of the sentence.

After careful review, we conclude that the district court did not impose a substantively unreasonable sentence, as there is no indication that it overlooked a relevant 18 U.S.C. § 3553(a) factor, gave significant weight to an improper or irrelevant factor, or committed a clear error of judgment in weighing the relevant factors. See United States v. Feemster, 572 F.3d 455, 461-62 (8th Cir. 2009) (en banc). Furthermore, the district court, which considered whether Gipson's career-offender classification overrepresented the seriousness of his criminal history and ultimately imposed a sentence below the advisory guideline range, did not abuse its discretion in declining to vary downward further still. See United States v. McCauley, 715 F.3d 1119, 1127 (8th Cir. 2013). Having independently reviewed the record under Penson v. Ohio, 488 U.S. 75 (1988), we find no non-frivolous issues for appeal.

Accordingly, we affirm the judgment, and we grant counsel's motion to withdraw.
