

United States Court of Appeals
For the Eighth Circuit

No. 20-1188

United States of America

Plaintiff - Appellee

v.

Cory Jeremiah Phillips

Defendant - Appellant

Appeal from United States District Court
for the Western District of Arkansas - Ft. Smith

Submitted: July 31, 2020

Filed: August 7, 2020

[Unpublished]

Before COLLOTON, GRUENDER, and GRASZ, Circuit Judges.

PER CURIAM.

Cory Phillips appeals the sentence the district court¹ imposed after he pleaded guilty to a drug conspiracy offense. His counsel had moved to withdraw and has filed a brief under *Anders v. California*, 386 U.S. 738 (1967).

Counsel argues the district court erred in attributing methamphetamine seized from one of Phillips's co-conspirators to Phillips for purposes of determining his base offense level. After careful review, we conclude that the district court's drug-quantity determination was not clearly erroneous. *See United States v. Titlbach*, 300 F.3d 919, 923 (8th Cir. 2002) (reviewing district court's drug-quantity calculations for clear error; stating this court will disturb district court's drug-quantity calculation only if entire record definitely and firmly convinces court that mistake has been made); *United States v. Zimmer*, 299 F.3d 710, 720 (8th Cir. 2002) (discussing when, in drug conspiracy cases, the district court may attribute to the defendant drug quantities from transactions in which the defendant was not directly involved).

Having independently reviewed the record under *Penon v. Ohio*, 488 U.S. 75 (1988), we find no nonfrivolous issues for appeal. Accordingly, we grant counsel's motion and affirm.

¹The Honorable P.K. Holmes, III, United States District Judge for the Western District of Arkansas.