

United States Court of Appeals
For the Eighth Circuit

No. 20-2257

United States of America

Plaintiff - Appellee

v.

Tevonta Reair Tiller

Defendant - Appellant

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

Submitted: January 11, 2021

Filed: January 22, 2021

[Unpublished]

Before COLLOTON, GRUENDER, and SHEPHERD, Circuit Judges.

PER CURIAM.

Tevonta Tiller appeals after he pleaded guilty to bank robbery and a firearm offense, and the district court¹ sentenced him below the Guidelines range. His counsel

¹The Honorable Robert W. Pratt, United States District Judge for the Southern District of Iowa.

has moved to withdraw, and has filed a brief under Anders v. California, 386 U.S. 738 (1967), arguing that Tiller's conviction and sentence should be vacated due to vindictive prosecution.

Upon careful review, we conclude that Tiller did not demonstrate that the government vindictively prosecuted him. See United States v. Williams, 793 F.3d 957, 963-64 (8th Cir. 2015) (defendant bears heavy burden to demonstrate vindictive prosecution); United States v. Chappell, 779 F.3d 872, 880 (8th Cir. 2015) (presumption of regularity supports prosecutorial decisions absent clear, contrary evidence).

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