

United States Court of Appeals
For the Eighth Circuit

No. 21-2521

United States of America

Plaintiff - Appellee

v.

Palmira Garcia

Defendant - Appellant

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

Submitted: December 21, 2021

Filed: December 28, 2021

[Unpublished]

Before GRUENDER, ERICKSON, and GRASZ, Circuit Judges.

PER CURIAM.

Palmira Garcia appeals the sentence the district court¹ imposed after she pled guilty to a drug offense. Her counsel has moved to withdraw and has filed a brief

¹The Honorable Rebecca Goodgame Ebinger, United States District Judge for the Southern District of Iowa.

under *Anders v. California*, 386 U.S. 738 (1967), challenging the district court’s denial of a mitigating-role reduction and the substantive reasonableness of Garcia’s sentence.

After careful review of the record, we conclude the district court did not clearly err in declining to apply a mitigating-role reduction. *See United States v. Hunt*, 840 F.3d 554, 557 (8th Cir. 2016) (standard of review). We also conclude the district court did not abuse its discretion when sentencing Garcia. *See United States v. Salazar-Aleman*, 741 F.3d 878, 881 (8th Cir. 2013) (standard of review); *United States v. McCauley*, 715 F.3d 1119, 1127 (8th Cir. 2013) (recognizing when a district court varies below the United States Sentencing Guidelines Manual range, it is “nearly inconceivable” that court abused its discretion in not varying downward further).

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