

United States Court of Appeals
For the Eighth Circuit

No. 21-3838

United States of America

Plaintiff - Appellee

v.

Tavin Rodriguez Daudinot

Defendant - Appellant

No. 21-3862

United States of America

Plaintiff - Appellee

v.

Tavin Rodriguez Daudinot

Defendant - Appellant

Appeals from United States District Court
for the Northern District of Iowa - Central

Submitted: June 29, 2022

Filed: July 12, 2022

[Unpublished]

Before ERICKSON, GRASZ, and KOBES, Circuit Judges.

PER CURIAM.

In these consolidated appeals, Tavin Daudinot appeals the sentence the district court¹ imposed at his consolidated sentencing hearing after he pleaded guilty to being a felon in possession of a firearm and his supervised release was revoked. His counsel has moved to withdraw, and has filed a brief under Anders v. California, 386 U.S. 738 (1967), arguing that the sentence was unreasonable.

Upon careful review, we conclude that the sentence was not unreasonable, as the record shows that the district court considered the 18 U.S.C. § 3553(a) factors, see United States v. Wohlman, 651 F.3d 878, 887 (8th Cir. 2011), and there is no indication that the court overlooked a relevant 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, 464 (8th Cir. 2009) (en banc) (sentences are reviewed for substantive reasonableness under deferential abuse of discretion standard; abuse of discretion occurs when court fails to consider relevant factor, gives significant weight to improper or irrelevant factor, or commits clear error of judgment in weighing appropriate factors); United States v. Miller, 557 F.3d 910, 915-18 (8th Cir. 2009) (substantive reasonableness of revocation sentence is reviewed under deferential abuse-of-discretion standard); see also United States v. Callaway, 762 F.3d 754, 760 (8th Cir. 2014) (on appeal, within-Guidelines sentence may be presumed reasonable).

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

¹The Honorable Leonard T. Strand, Chief Judge, United States District Court for the Northern District of Iowa.