

United States Court of Appeals
For the Eighth Circuit

No. 22-1526

United States of America,

Plaintiff - Appellee,

v.

Joshua Don Lineberry,

Defendant - Appellant.

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

Submitted: June 21, 2022

Filed: July 6, 2022

[Unpublished]

Before LOKEN, COLLOTON, and KELLY, Circuit Judges.

PER CURIAM.

Joshua Lineberry appeals a sentence imposed by the district court¹ after he pleaded guilty to an odometer tampering offense. His counsel has moved to withdraw

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

and has filed a brief under *Anders v. California*, 386 U.S. 738 (1967), challenging the reasonableness of the sentence. Lineberry has filed a motion for new counsel on appeal.

Upon careful review, we conclude that Lineberry's sentence was not unreasonable. There is no indication that the district 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 (8th Cir. 2009) (en banc) (standard of review); *see also United States v. Callaway*, 762 F.3d 754, 760 (8th Cir. 2014). As to Lineberry's pro se arguments that counsel was ineffective, we conclude that they would be better addressed on collateral review. *See United States v. Ramirez-Hernandez*, 449 F.3d 824, 826-27 (8th Cir. 2006).

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, we grant counsel's motion to withdraw, and we deny Lineberry's motion for new counsel as moot.
