

United States Court of Appeals
For the Eighth Circuit

No. 22-1032

United States of America

Plaintiff - Appellee

v.

Chovontae Martise Farmer

Defendant - Appellant

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

Submitted: August 19, 2022

Filed: August 30, 2022

[Unpublished]

Before SHEPHERD, MELLOY, and STRAS, Circuit Judges.

PER CURIAM.

Chovontae Farmer received a 228-month prison sentence after he pleaded guilty to conspiracy to distribute controlled substances, 21 U.S.C. §§ 841(a)(1), 846, and possession of a firearm in furtherance of a drug-trafficking crime, 18 U.S.C.

§ 924(c)(1)(A)(i). An *Anders* brief suggests that the district court¹ should have granted a mitigating-role reduction and that the overall sentence is substantively unreasonable. See *Anders v. California*, 386 U.S. 738 (1967).

We conclude that the district court did not clearly err when it denied a mitigating-role reduction. See *United States v. Hunt*, 840 F.3d 554, 557 (8th Cir. 2016) (per curiam). We also conclude that Farmer received a substantively reasonable sentence. See *United States v. Callaway*, 762 F.3d 754, 760 (8th Cir. 2014) (stating that a within-Guidelines sentence is presumed reasonable). The record establishes that the district court sufficiently considered the statutory sentencing factors, 18 U.S.C. § 3553(a), and did not rely on an improper factor or commit a clear error of judgment. See *United States v. Feemster*, 572 F.3d 455, 461–62 (8th Cir. 2009) (en banc).

Finally, we have independently reviewed the record and conclude that no other non-frivolous issues exist. See *Penson v. Ohio*, 488 U.S. 75, 82–83 (1988). We accordingly affirm the judgment of the district court, deny the motion to file a pro se supplemental brief, and grant counsel permission to withdraw.

¹The Honorable John A. Jarvey, then Chief Judge, United States District Court for the Southern District of Iowa, now retired.