

United States Court of Appeals
For the Eighth Circuit

No. 22-2267

United States of America

Plaintiff - Appellee

v.

Victor Alberto Elias-Rodriguez

Defendant - Appellant

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

Submitted: November 7, 2022

Filed: November 10, 2022

[Unpublished]

Before LOKEN, MELLOY, and STRAS, Circuit Judges.

PER CURIAM.

Victor Elias-Rodriguez appeals the sentence imposed by the district court¹ after he pleaded guilty to production of child pornography. His counsel has moved to

¹The Honorable Stephanie M. Rose, Chief Judge, United States District Court for the Southern District of Iowa.

withdraw, and has filed a brief under Anders v. California, 386 U.S. 738 (1967), challenging the substantive reasonableness of the sentence.

Upon careful review, we conclude that the sentence is not substantively unreasonable, as the court did not commit a clear error of judgment in weighing the appropriate sentencing factors, see United States v. Garcia, 946 F.3d 413, 419 (8th Cir. 2019); and the sentence is below the Guidelines range, see United States v. Moore, 581 F.3d 681, 684 (8th Cir. 2009) (per curiam). We have also independently reviewed the record under Penson v. Ohio, 488 U.S. 75 (1988), and have found no non-frivolous issues for appeal. Accordingly, we grant counsel's motion to withdraw and affirm.
