

United States Court of Appeals
For the Eighth Circuit

No. 22-2086

United States of America

Plaintiff - Appellee

v.

Nicholas Moron-Rivera, also known as Nico

Defendant - Appellant

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

Submitted: December 15, 2022

Filed: December 20, 2022

[Unpublished]

Before COLLOTON, SHEPHERD, and STRAS, Circuit Judges.

PER CURIAM.

Nicholas Moron-Rivera appeals the sentence imposed by the district court¹ after he pleaded guilty to drug offenses. His counsel has moved for leave to

¹The Honorable Timothy L. Brooks, United States District Judge for the Western District of Arkansas.

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 district court did not impose a substantively unreasonable sentence, as the court properly considered the factors listed in 18 U.S.C. § 3553(a) and did not err in weighing the relevant factors. See United States v. Feemster, 572 F.3d 455, 461-62 (8th Cir. 2009) (en banc) (reviewing sentences for substantive reasonableness under deferential abuse of discretion standard; abuse of discretion occurs when the court fails to consider relevant factor, gives significant weight to an improper or irrelevant factor, or commits a clear error of judgment in weighing the appropriate factors). 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 the judgment, and we grant counsel's motion to withdraw.
