

United States Court of Appeals
For the Eighth Circuit

No. 22-3027

United States of America

Plaintiff - Appellee

v.

Darryl Keath Green

Defendant - Appellant

Appeal from United States District Court
for the Western District of Arkansas - Fayetteville

Submitted: January 11, 2023

Filed: January 17, 2023

[Unpublished]

Before GRUENDER, MELLOY, and STRAS, Circuit Judges.

PER CURIAM.

Darryl Green appeals the sentence the district court¹ imposed after he pleaded guilty to a drug offense. His counsel has moved for leave to withdraw, and has filed

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

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 district court did not impose a substantively unreasonable sentence. See United States v. Feemster, 572 F.3d 455, 461-62 (8th Cir. 2009) (en banc) (sentences are reviewed for substantive reasonableness under deferential abuse-of-discretion standard; discussing substantive reasonableness); see also United States v. Callaway, 762 F.3d 754, 760 (8th Cir. 2014) (within-Guidelines sentence is 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 the judgment of the district court and grant counsel's motion to withdraw.
