

United States Court of Appeals
For the Eighth Circuit

No. 22-3001

United States of America

Plaintiff - Appellee

v.

Charles Rouell, also known as Charley

Defendant - Appellant

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

Submitted: February 2, 2023

Filed: February 8, 2023

[Unpublished]

Before LOKEN, BENTON, and ERICKSON, Circuit Judges.

PER CURIAM.

Charles Rouell appeals after he pleaded guilty to conspiring to distribute methamphetamine. His counsel has moved to withdraw, and has filed a brief under Anders v. California, 386 U.S. 738 (1967), challenging the sentence.

Upon careful review, we conclude that the district court¹ did not err in imposing the below-Guidelines sentence that Rouell received. See United States v. Feemster, 572 F.3d 455, 461 (8th Cir. 2009) (en banc); United States v. Moore, 581 F.3d 681, 684 (8th Cir. 2009) (per curiam). The record reflects that the court properly calculated the Guidelines range and considered the 18 U.S.C. § 3553(a) factors, and there is no indication the court overlooked a relevant factor, or committed a clear error of judgment in weighing relevant factors. Specifically, the court did not err in characterizing Rouell as deeply involved in the conspiracy; and although the sentence was longer than those of some of his codefendants, it was adequately justified based on his role in the conspiracy and his significant criminal history. See United States v. Farmer, 647 F.3d 1175, 1179 (8th Cir. 2011); United States v. Vasquez, 433 F.3d 666, 671 (8th Cir. 2006).

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.

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