

United States Court of Appeals
For the Eighth Circuit

No. 23-1396

United States of America

Plaintiff - Appellee

v.

Krystle Owen

Defendant - Appellant

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

Submitted: October 13, 2023

Filed: October 18, 2023

[Unpublished]

Before ERICKSON, GRASZ, and KOBES, Circuit Judges.

PER CURIAM.

Krystle Owen appeals the within-Guidelines-range sentence imposed by the district court¹ after she pled guilty to distribution of methamphetamine, in violation

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

of 21 U.S.C. §§ 841(a)(1) and (b)(1)(C). Her counsel has moved for leave to 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 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 (8th Cir. 2009) (en banc) (substantive reasonableness of sentence reviewed for abuse of discretion; abuse of discretion occurs when district court fails to consider relevant factor, gives significant weight to improper or irrelevant factor, or commits clear error of judgment in weighing appropriate factors); see also United States v. White, 506 F.3d 635, 644-45 (8th Cir. 2007) (pursuant to § 3553(a), district court may consider factors already taken into account in calculating advisory Guidelines range).

We have reviewed the record independently under Penson v. Ohio, 488 U.S. 75 (1988), and have found no non-frivolous issues for appeal. Accordingly, we affirm the judgment, and we grant counsel's motion to withdraw.
