

United States Court of Appeals
For the Eighth Circuit

No. 23-1139

United States of America

Plaintiff - Appellee

v.

Lamonte Dior Dickens

Defendant - Appellant

Appeal from United States District Court
for the Northern District of Iowa - Cedar Rapids

Submitted: October 16, 2023

Filed: November 13, 2023

[Unpublished]

Before GRUENDER, STRAS, and KOBES, Circuit Judges.

PER CURIAM.

The district court¹ sentenced Lamonte Dickens to 46 months in prison after he pleaded guilty to being a felon in possession of a firearm. See 18 U.S.C. § 922(g)(1). He argues that the sentence is substantively unreasonable.

¹The Honorable C.J. Williams, United States District Judge for the Northern District of Iowa.

We conclude otherwise. *See United States v. Harris*, 960 F.3d 1103, 1106 (8th Cir. 2020) (reviewing for an abuse of discretion); *United States v. Callaway*, 762 F.3d 754, 760 (8th Cir. 2014) (stating that a within-Guidelines sentence is presumed reasonable). The record establishes that the district court sufficiently considered the statutory sentencing factors, 18 U.S.C. § 3553(a), and did not rely on an improper factor or commit a clear error of judgment. *See United States v. Feemster*, 572 F.3d 455, 461–62 (8th Cir. 2009) (en banc). In doing so, the court specifically discussed several mitigating factors, but ultimately placed greater weight on Dickens’s criminal history and resistance to rehabilitation. There was no abuse of discretion, *see United States v. Keating*, 579 F.3d 891, 893–94 (8th Cir. 2009), so we affirm the judgment of the district court.
