

United States Court of Appeals
For the Eighth Circuit

No. 23-2836

United States of America

Plaintiff - Appellee

v.

Charles Edward Robinson, III

Defendant - Appellant

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

Submitted: January 3, 2024

Filed: January 18, 2024

[Unpublished]

Before COLLOTON, BENTON, and KELLY, Circuit Judges.

PER CURIAM.

Charles Robinson III appeals after he pleaded guilty to a drug offense and the district court¹ imposed a sentence consistent with his binding Federal Rule of

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

Criminal Procedure 11(c)(1)(C) plea agreement. His counsel has requested leave to withdraw, and has filed a brief under Anders v. California, 386 U.S. 738 (1967), arguing that the district court erred calculating the base offense level and applying an enhancement under USSG § 2D1.1(b)(1), and that the sentence is substantively unreasonable.

Upon careful review, we conclude that the district court properly calculated the Guidelines range. See United States v. Anderson, 618 F.3d 873, 879 (8th Cir. 2010) (reviewing district court’s application of Guidelines de novo, and its factual findings for clear error). As to Robinson’s sentence, because he agreed to the particular sentence he received, he may not now challenge it on appeal. See, e.g., United States v. Lovell, 811 F.3d 1061, 1063 (8th Cir. 2016); United States v. Thompson, 289 F.3d 524, 526–27 (8th Cir. 2002) (“On appeal, [a defendant] cannot complain that the district court gave him exactly what his lawyer asked.” (citation omitted)). Even assuming he could challenge his sentence, it is not substantively unreasonable. See United States v. Feemster, 572 F.3d 455, 461–62 (8th Cir. 2009) (en banc).

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