

United States Court of Appeals
For the Eighth Circuit

No. 23-2907

United States of America

Plaintiff - Appellee

v.

Martin Wilson, Jr.

Defendant - Appellant

Appeal from United States District Court
for the Eastern District of Missouri - Cape Girardeau

Submitted: January 10, 2024

Filed: January 19, 2024

[Unpublished]

Before COLLOTON, BENTON, and KELLY, Circuit Judges.

PER CURIAM.

Martin Wilson appeals the Guidelines-range sentence the district court¹ imposed after he pled guilty to a drug offense. Having jurisdiction under 28 U.S.C. § 1291, this court affirms.

¹The Honorable Stephen N. Limbaugh, Jr., United States District Judge for the Eastern District of Missouri.

Counsel has moved for leave to withdraw and filed a brief under *Anders v. California*, 386 U.S. 738 (1967). He argues that the sentence is substantively unreasonable because the district court gave insufficient weight to Wilson’s history and characteristics under 18 U.S.C. § 3553(a).

The district court did not impose a substantively unreasonable sentence. The record reflects that the court adequately considered the section 3553(a) factors—including all of the information Wilson presented for the court’s consideration—and did not clearly err in weighing the factors. *See United States v. Feemster*, 572 F.3d 455, 461-62 (8th Cir. 2009) (en banc) (abuse of discretion occurs when court fails to consider relevant factor, gives significant weight to improper or irrelevant factor, or commits clear error of judgment in weighing appropriate factor); *United States v. Stults*, 575 F.3d 834, 849 (8th Cir. 2009) (sentence is not unreasonable when court made individualized assessment based on facts presented and addressed defendant’s proffered information in its consideration of § 3553(a) factors).

The court has independently reviewed the record under *Penon v. Ohio*, 488 U.S. 75 (1988), and finds no nonfrivolous issues for appeal.

The judgment is affirmed. Counsel’s motion to withdraw is granted.
