

United States Court of Appeals
For the Eighth Circuit

No. 23-3289

United States of America

Plaintiff - Appellee

v.

Thein Maung, also known as Joseph Ramarn

Defendant - Appellant

Appeal from United States District Court
for the Southern District of Iowa - Central

Submitted: May 17, 2024

Filed: May 22, 2024

[Unpublished]

Before LOKEN, SHEPHERD, and KOBES, Circuit Judges.

PER CURIAM.

Thein Maung appeals after he pleaded guilty to multiple counts relating to a scheme to defraud the government and other individuals. His counsel has moved to withdraw, and has filed a brief under Anders v. California, 386 U.S. 738 (1967), challenging the sentence as substantively unreasonable.

Upon careful review, we conclude that the district court¹ did not err in imposing the below-Guidelines sentence that Maung received, as 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. See United States v. Meza-Lopez, 808 F.3d 743, 745-46 (8th Cir. 2015); 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).

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 Stephanie M. Rose, Chief Judge of the United States District Court for the Southern District of Iowa.