

United States Court of Appeals
For the Eighth Circuit

No. 24-2055

United States of America

Plaintiff - Appellee

v.

Dionte Jabari Green

Defendant - Appellant

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

Submitted: October 25, 2024

Filed: October 30, 2024

[Unpublished]

Before LOKEN, SMITH, and KOBES, Circuit Judges.

PER CURIAM.

Dionte Green appeals the within-Guidelines sentence the district court¹ imposed after he pled guilty to being a prohibited person in possession of a firearm.

¹The Honorable Stephanie M. Rose, Chief Judge, United States District Court for the Southern District of Iowa.

His counsel has moved for leave to withdraw, and has filed a brief under Anders v. California, 386 U.S. 738 (1967), arguing his sentence was substantively unreasonable.

Upon careful review, we conclude that the district court did not abuse its discretion in sentencing Green, as it properly considered the 18 U.S.C. § 3553(a) factors; there was no indication that it overlooked a relevant factor, or committed a clear error of judgment in weighing relevant factors; and the sentence was within the advisory Guidelines range. See United States v. Feemster, 572 F.3d 455, 461 (8th Cir. 2009) (en banc) (standard of review); United States v. Anderson, 90 F.4th 1226, 1227 (8th Cir. 2024) (district court has wide latitude in weighing relevant factors); United States v. Miner, 544 F.3d 930, 932 (8th Cir. 2008) (appellate court may presume sentence within properly calculated guidelines range is reasonable).

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