

United States Court of Appeals
For the Eighth Circuit

No. 24-2151

United States of America

Plaintiff - Appellee

v.

Kevin Burke

Defendant - Appellant

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

Submitted: October 29, 2024

Filed: November 1, 2024

[Unpublished]

Before GRUENDER, BENTON, and GRASZ, Circuit Judges.

PER CURIAM.

Kevin Burke appeals after he pleaded guilty to a drug distribution offense and the district court¹ imposed a within-Guidelines sentence. His counsel has moved for

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

leave to withdraw, and has filed a brief under *Anders v. California*, 386 U.S. 738 (1967), challenging the sentence as substantively unreasonable.

After careful review, we conclude that the district court did not abuse its discretion in sentencing Burke. *See United States v. Feemster*, 572 F.3d 455, 461-62 (8th Cir. 2009) (en banc) (standard of review); *see also United States v. Callaway*, 762 F.3d 754, 760 (8th Cir. 2014) (stating that on appeal, a within-Guidelines range sentence is presumed reasonable).

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 the judgment, and we grant counsel leave to withdraw.
