

United States Court of Appeals
For the Eighth Circuit

No. 24-3124

United States of America

Plaintiff - Appellee

v.

Kristopher Raphael Owens

Defendant - Appellant

Appeal from United States District Court
for the District of Minnesota

Submitted: February 18, 2025

Filed: March 3, 2025

[Unpublished]

Before SMITH, SHEPHERD, and GRASZ, Circuit Judges.

PER CURIAM.

Kristopher Raphael Owens appeals after he pled guilty to a drug offense, and the district court¹ varied downward from the Guidelines range and imposed a sentence

¹The Honorable Joan N. Ericksen, United States District Judge for the District of Minnesota.

of 144 months in prison. Counsel has moved for leave to withdraw, and filed a brief under Anders v. California, 386 U.S. 738 (1967), arguing that the sentence was substantively unreasonable, and the court should have varied further downward to a sentence of 84 months in prison.

Upon careful review, we conclude that the district court did not impose a substantively unreasonable sentence, as the record shows the court considered the 18 U.S.C. § 3553(a) factors and did not overlook a relevant factor or err in weighing the factors. See United States v. Feemster, 572 F.3d 455, 461-62 (8th Cir. 2009) (en banc) (sentences are reviewed for substantive reasonableness under deferential abuse-of-discretion standard; 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 factors). Further, the sentence was below the Guidelines range. See United States v. Lazarski, 560 F.3d 731, 733 (8th Cir. 2009).

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.
