

United States Court of Appeals
For the Eighth Circuit

No. 24-3021

United States of America

Plaintiff - Appellee

v.

Milford Rogers

Defendant - Appellant

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

Submitted: August 11, 2025

Filed: August 14, 2025

[Unpublished]

Before LOKEN, GRASZ, and STRAS, Circuit Judges.

PER CURIAM.

Milford Rogers received a 264-month sentence after pleading guilty to being in a drug conspiracy. *See* 21 U.S.C. §§ 841(a)(1), (b)(1)(A), 846. An *Anders* brief and pro se supplemental brief both suggest resentencing is necessary because the

district court¹ miscalculated the advisory Guidelines range. *See Anders v. California*, 386 U.S. 738 (1967).

We conclude otherwise. *See United States v. Neri*, 73 F.4th 984, 988 (8th Cir. 2023) (describing harmless-error review). The district court explained that it would have imposed “the same sentence,” based on “all of the . . . [§] 3553(a) factors,” even if it “had . . . ruled differently on all of the various [G]uideline issues.” Any procedural error, in other words, had no effect on the sentence Rogers received. *See Neri*, 73 F.4th at 988.

We have also independently reviewed the record and conclude that no other non-frivolous issues exist. *See Penson v. Ohio*, 488 U.S. 75, 82–83 (1988). We accordingly affirm the judgment of the district court and grant counsel permission to withdraw.

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