

United States Court of Appeals  
For the Eighth Circuit

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No. 25-2589

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United States of America

*Plaintiff - Appellee*

v.

Devontae Naylor-Foy, also known as Devontae Naylor Foy

*Defendant - Appellant*

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

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Submitted: January 27, 2026

Filed: February 13, 2026  
[Unpublished]

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Before SMITH, SHEPHERD, and ERICKSON, Circuit Judges.

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PER CURIAM.

Devontae Naylor-Foy appeals the below-Guidelines sentence the district court<sup>1</sup> imposed after he pleaded guilty to a drug offense. His counsel has moved for leave

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<sup>1</sup>The Honorable Stephen H. Locher, United States District Judge for the Southern District of Iowa.

to withdraw, and has filed a brief under Anders v. California, 386 U.S. 738 (1967), challenging the substantive reasonableness of the sentence.

Upon careful review, we conclude that the district court did not impose a substantively unreasonable sentence. See United States v. Feemster, 572 F.3d 455, 461-62 (8th Cir. 2009) (en banc) (reviewing sentence under deferential abuse-of-discretion standard; discussing substantive reasonableness); United States v. McCauley, 715 F.3d 1119, 1127 (8th Cir. 2013) (noting that when the district court has varied below the Guidelines range, it is “nearly inconceivable” that the court abused its discretion in not varying further). In addition, 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 grant counsel leave to withdraw, and we affirm.

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