

United States Court of Appeals  
For the Eighth Circuit

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No. 25-3273

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United States of America

*Plaintiff - Appellee*

v.

Marcus Haywood

*Defendant - Appellant*

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

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Submitted: May 20, 2026

Filed: May 26, 2026

[Unpublished]

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Before LOKEN, SMITH, and SHEPHERD, Circuit Judges.

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PER CURIAM.

Marcus Haywood appeals the sentence the district court<sup>1</sup> imposed after he pleaded guilty to a drug offense pursuant to a written plea agreement. His counsel

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<sup>1</sup>The Honorable Timothy L. Brooks, Chief Judge, United States District Court for the Western District of Arkansas.

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

After careful review, we conclude the district court did not abuse its discretion in sentencing Haywood. See United States v. Feemster, 572 F.3d 455, 461-62 (8th Cir. 2009) (en banc) (standard of review); see also United States v. Timberlake, 679 F.3d 1008, 1012 (8th Cir. 2012) (district court is presumed to have considered mitigating factors counsel discussed at sentencing and has substantial latitude to weigh sentencing factors); United States v. McCauley, 715 F.3d 1119, 1127 (8th Cir. 2013) (noting that it is “nearly inconceivable” that the district court abused its discretion in not varying further when it varied below the United States Sentencing Guidelines Manual range). Further, having independently reviewed the record under Penon v. Ohio, 488 U.S. 75 (1988), we find no non-frivolous issues for appeal. Accordingly, we grant counsel’s motion to withdraw and affirm.

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