

United States Court of Appeals
For the Eighth Circuit

No. 26-1651

United States of America

Plaintiff - Appellee

v.

Richard Mangum

Defendant - Appellant

Appeal from United States District Court
for the Western District of Arkansas - Ft. Smith

Submitted: September 10, 2026

Filed: September 15, 2026

[Unpublished]

Before LOKEN, KELLY, and JUSTIN D. SMITH, Circuit Judges.

PER CURIAM.

Richard Mangum appeals the sentence the district court¹ imposed after he pleaded guilty to failing to register as a sex offender. His counsel has moved for

¹The Honorable Susan O. Hickey, United States District Judge for the Western District of Arkansas.

leave to withdraw and filed a brief under Anders v. California, 386 U.S. 738 (1967), challenging the reasonableness of the sentence and a special condition of supervised release requiring Mangum to participate in sex offender treatment.

We conclude that the district court did not impose a substantively unreasonable sentence, as there is no indication that the court overlooked a relevant factor, gave significant weight to an improper or irrelevant factor, or committed a clear error of judgment in weighing the relevant factors. See United States v. Feemster, 572 F.3d 455, 461-62 (8th Cir. 2009) (en banc) (reviewing sentence under deferential abuse of discretion standard and discussing substantive reasonableness). We also conclude that the district court did not plainly err in imposing the challenged special condition. See United States v. Carlson, 406 F.3d 529, 531 (8th Cir. 2005) (reviewing imposition of special condition of supervised release for plain error when defendant failed to object). The special condition is related to Mangum's previous sex offense, and his history of repeated failures to register and failures to participate in and successfully complete treatment programs provided sufficient justification for imposing the condition. See United States v. Smart, 472 F.3d 556, 558-59 (8th Cir. 2006) (upholding special condition requiring defendant to undergo sex offender treatment where instant conviction was for firearm offense, but defendant was previously convicted of two sex offenses and was still on probation for most recent sex offense at time of firearm offense); see also United States v. Bell, 915 F.3d 574, 577 (8th Cir. 2019) (special condition need not be vacated if its basis can be discerned from record, even in absence of individualized findings).

We have also independently reviewed the record under Penson v. Ohio, 488 U.S. 75 (1988), and have found no non-frivolous issues for appeal. Accordingly, we grant counsel's motion to withdraw and affirm.