

United States Court of Appeals
For the Eighth Circuit

No. 26-1541

United States of America

Plaintiff - Appellee

v.

Jacob Lawson Bertrand

Defendant - Appellant

No. 26-1542

United States of America

Plaintiff - Appellee

v.

Jacob Lawson Bertrand

Defendant - Appellant

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

Submitted: October 1, 2026
Filed: October 6, 2026
[Unpublished]

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

PER CURIAM.

In these consolidated appeals, Jacob Bertrand appeals after he pleaded guilty to receipt of child pornography, his supervised release was revoked, and the district court¹ sentenced him to 224 months in prison. His counsel has moved for leave to withdraw, and has filed a brief under Anders v. California, 386 U.S. 738 (1967), arguing that the district court erred by denying his motion to suppress and challenging the sentence.

Upon careful review, we conclude that the district court did not err by denying the motion to suppress, as Bertrand was not in custody while meeting with his probation officer, and his statements were not compelled. See United States v. Aldridge, 664 F.3d 705, 710 (8th Cir. 2011) (in reviewing denial of a motion to suppress, district court's findings of fact are reviewed for clear error and its legal conclusions are reviewed de novo); United States v. Carlson, 613 F.3d 813, 817 (8th Cir. 2010) (discussing nonexclusive factors to consider in determining whether individual is in custody for purposes of Miranda v. Arizona, 384 U.S. 436 (1966)); see also Minnesota v. Murphy, 465 U.S. 420, 427, 430 (1984) (probationer meeting with probation officer as ordered in probation office was not in custody for Miranda

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

purposes; general obligation on probationer to appear and answer questions truthfully did not convert otherwise voluntary statements into compelled ones).

We also conclude that the district court did not impose a substantively unreasonable sentence, as the court properly considered the statutory sentencing factors and did not err in weighing the relevant factors. See United States v. Feemster, 572 F.3d 455, 461–62 (8th Cir. 2009) (en banc) (reasonableness of sentence is reviewed for abuse of discretion); United States v. Miller, 557 F.3d 910, 915–18 (8th Cir. 2009) (substantive reasonableness of revocation sentence is reviewed under deferential abuse-of-discretion standard); see also United States v. Callaway, 762 F.3d 754, 760 (8th Cir. 2014) (on appeal, within-Guidelines-range sentence may be presumed reasonable).

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