

**United States Court of Appeals
FOR THE EIGHTH CIRCUIT**

No. 99-3158

United States of America,

Appellee,

v.

Juvenile TSB,

Appellant.

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Appeal from the United States
District Court for the
District of South Dakota.

[UNPUBLISHED]

Submitted: February 4, 2000
Filed: February 11, 2000

Before LOKEN, BRIGHT, and HANSEN, Circuit Judges.

PER CURIAM.

The district court¹ adjudicated TSB to be a juvenile delinquent based upon the finding that he had caused and attempted to cause a child under the age of 12 to engage in a sexual act, in violation of 18 U.S.C. §§ 1153, 2241(c), 2246(2), and 5032. The court sentenced TSB to 3 years probation. TSB's counsel has filed a brief, in which she challenges the sufficiency of the evidence, and has moved to withdraw pursuant to Anders v. California, 386 U.S. 738 (1967). We granted TSB permission to file a pro

¹The HONORABLE CHARLES B. KORNMAN, United States District Judge for the District of South Dakota.

se supplemental brief, and after consulting with the Federal Public Defender for the District of South Dakota, he has declined to do so.

In reviewing the sufficiency of the evidence in an appeal from a juvenile adjudication, we consider whether the evidence is sufficient to convince the district court of the defendant's guilt beyond a reasonable doubt, viewing the evidence in the light most favorable to the court's determination, and accepting all reasonable inferences supporting the determination. See United States v. L.B.G., 131 F.3d 1276, 1277 (8th Cir. 1997). In this case, the court disbelieved TSB's testimony in favor of the government witnesses' testimony, and carefully considered the weaknesses in the government witnesses' testimony elicited by the defense. We conclude that the court did not err in finding TSB guilty beyond a reasonable doubt. See United States v. E.R.B., 86 F.3d 129, 130 (8th Cir. 1996) (district court, as finder of fact in juvenile case, weighs credibility of witnesses and any contradictions between testimony and other evidence; court's credibility findings can almost never be clearly erroneous).

After review of counsel's Anders brief, along with our independent review of the record in accordance with Penon v. Ohio, 488 U.S. 75 (1988), we find no nonfrivolous issues. Accordingly, we affirm the judgment of the district court, and grant counsel's motion to withdraw.

A true copy.

Attest:

CLERK, U.S. COURT OF APPEALS, EIGHTH CIRCUIT.