

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

No. 99-1063

United States of America,

Appellee,

v.

Robert Lloyd Williams, also known as
“Cart-Rob,”

Appellant.

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Appeal from the United States
District Court for the
District of Minnesota.

[UNPUBLISHED]

Submitted: December 7, 2000

Filed: January 9, 2001

Before RICHARD S. ARNOLD, LOKEN, and HANSEN, Circuit Judges.

PER CURIAM.

After Robert Lloyd Williams pleaded guilty to conspiracy to distribute and possess with intent to distribute cocaine and cocaine base, in violation of 21 U.S.C. § 846, the district court¹ granted the government’s departure motion, made under U.S.S.G. § 5K1.1 and 18 U.S.C. § 3553(e), and sentenced Williams to 120 months imprisonment and five years supervised release. On appeal, appointed counsel moved

¹The HONORABLE MICHAEL J. DAVIS, United States District Judge for the District of Minnesota.

to withdraw pursuant to Anders v. California, 386 U.S. 738 (1967), raising issues concerning the district court's refusal to grant Williams a mitigating-role reduction; the court's denial of his motion to depart downward under U.S.S.G. § 4A1.3; the court's drug-quantity finding; and its refusal to depart below the mandatory minimum. Williams has not filed a pro se supplemental brief.

The foregoing arguments fail. Williams stipulated in his plea agreement that a mitigating role-reduction would not apply, see United States v. Nguyen, 46 F.3d 781, 783 (8th Cir. 1995), and the drug quantity that he contends he should be responsible for produces a Guidelines range that is still above the 120-month departure sentence he received, see United States v. Wyatt, 26 F.3d 863, 864 (8th Cir. 1994) (per curiam). His remaining arguments, like his drug-quantity challenge, would require us to examine the extent of the district court's departure, which we will not do. See United States v. Dutcher, 8 F.3d 11, 12 (8th Cir. 1993).

In accordance with Penson v. Ohio, 488 U.S. 75 (1988), we have reviewed the record for any non-frivolous issue. As we have found none, we now affirm and grant counsel's motion to withdraw.

A true copy.

Attest:

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