

United States Court of Appeals
FOR THE EIGHTH CIRCUIT

No. 03-1954

United States of America,

Appellee,

v.

Eleanar Pimentel-Mendiola,
also known as Elias Moraila-Cortez,

Appellant.

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* Appeal from the United States
* District Court for the District
* of North Dakota.
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* [UNPUBLISHED]
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Submitted: February 6, 2004

Filed: February 13, 2004

Before MORRIS SHEPPARD ARNOLD, FAGG, and SMITH, Circuit Judges.

PER CURIAM.

Eleanar Pimentel-Mendiola challenges the sentence imposed by the district court* after he pleaded guilty to illegal reentry. Pimentel-Mendiola's counsel has filed a brief under Anders v. California, 386 U.S. 738 (1967), in which he argues Pimentel-Mendiola's 46-month term of imprisonment is excessive. This argument

*The Honorable Rodney S. Webb, United States District Judge for the District of North Dakota.

is unavailing. See United States v. Woodrum, 959 F.2d 100, 101 (8th Cir. 1992). We have also reviewed the record independently under Penson v. Ohio, 488 U.S. 75 (1988), and have found no nonfrivolous issues for appeal.

We thus affirm the district court, and we grant counsel's motion to withdraw.
