

United States Court of Appeals
FOR THE EIGHTH CIRCUIT

No. 06-1891

United States of America,

Appellee,

v.

Enrique Cazarez,

Appellant.

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Appeal from the United States
District Court for the
Western District of Missouri.

[UNPUBLISHED]

Submitted: August 30, 2007
Filed: September 5, 2007

Before BYE, RILEY, and MELLOY, Circuit Judges.

PER CURIAM.

Enrique Cazarez (Cazarez) appeals the 235-month sentence the district court¹ imposed upon his guilty plea to conspiring to distribute 50 grams or more of methamphetamine (actual), in violation of 21 U.S.C. §§ 841(a)(1), (b)(1)(A), and 846. Cazarez's counsel has moved to withdraw and filed a brief under Anders v. California, 386 U.S. 738 (1967), questioning the reasonableness of the sentence, which was at the bottom of the advisory Sentencing Guidelines range.

¹The Honorable Fernando J. Gaitan Jr., Chief Judge, United States District Court for the Western District of Missouri.

We conclude the sentence is not unreasonable. The district court considered Cazarez's Guidelines imprisonment range, along with other 18 U.S.C. § 3553(a) factors. Nothing in the record suggests the district court failed to consider a relevant factor that should have received significant weight, gave significant weight to an improper or irrelevant factor, or considered only appropriate factors but in weighing those factors committed a plain error of judgment. See United States v. Booker, 543 U.S. 220, 261 (2005) (§ 3553(a) factors will guide reasonableness review); United States v. Haack, 403 F.3d 997, 1003-04 (8th Cir. 2005) (reasonableness of sentence reviewed for abuse of discretion; defining ways in which abuse of discretion may occur).

Having reviewed the record under Penson v. Ohio, 488 U.S. 75, 80 (1988), we find no nonfrivolous issues. Accordingly, we grant counsel's motion to withdraw, and we affirm.
