

United States Court of Appeals
FOR THE EIGHTH CIRCUIT

No. 06-3590

United States of America,

Appellee,

v.

Joseph L. Young,

Appellant.

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

[UNPUBLISHED]

Submitted: October 12, 2007

Filed: October 17, 2007

Before BYE, RILEY, and MELLOY, Circuit Judges.

PER CURIAM.

Joseph Young (Young) appeals the 235-month prison sentence the district court¹ imposed after he pled guilty to conspiring to distribute 50 grams or more of a mixture or substance containing cocaine base, in violation of 21 U.S.C. §§ 841(a)(1), (b)(1)(A) and 846. Young's counsel has moved to withdraw and filed a brief under Anders v. California, 386 U.S. 738 (1967), arguing the sentence is unreasonable.

¹The Honorable Richard G. Kopf, United States District Judge for the District of Nebraska.

We conclude Young's advisory Guidelines imprisonment range was correctly determined by the district court, and his sentence at the bottom of that range is not unreasonable. See Rita v. United States, 127 S. Ct. 2456, 2462-68 (2007) (allowing appellate presumption of reasonableness); United States v. Denton, 434 F.3d 1104, 1113 (8th Cir. 2006) (holding a within-Guidelines sentence is presumptively reasonable). The district court stated it had considered all of the statutory goals of sentencing, and it mentioned several specific factors under 18 U.S.C. § 3553(a). Moreover, nothing in the record indicates the court overlooked a relevant factor, gave significant weight to an improper factor, or made a clear error of judgment in imposing the sentence. See United States v. Haack, 403 F.3d 997, 1004 (8th Cir. 2005) (stating the factors used to review a sentence for reasonableness). After reviewing the record independently under Penon v. Ohio, 488 U.S. 75, 80 (1988), we find no nonfrivolous issues.

We grant counsel leave to withdraw, and we affirm.
