

United States Court of Appeals
FOR THE EIGHTH CIRCUIT

No. 07-1033

United States of America,	*
	*
Appellee,	*
	* Appeal from the United States
v.	* District Court for the
	* Eastern District of Arkansas.
Eric Lamont Manuel,	*
	* [UNPUBLISHED]
Appellant.	*

Submitted: December 6, 2007
Filed: December 20, 2007

Before MURPHY, SMITH, and SHEPHERD, Circuit Judges.

PER CURIAM.

Eric Manuel appeals the 70-month sentence the district court¹ imposed after he pleaded guilty to possessing with intent to distribute at least 5 grams but less than 50 grams of cocaine base, in violation of 21 U.S.C. § 841(a)(1), (b)(1)(B). In a brief filed under Anders v. California, 386 U.S. 738 (1967), Manuel's counsel seeks permission to withdraw.

¹The Honorable William R. Wilson, Jr., United States District Judge for the Eastern District of Arkansas.

We conclude that Manuel's within-Guidelines-range sentence is not unreasonable because nothing in the record indicates the court overlooked a relevant factor, gave significant weight to an improper factor, or, in weighing the appropriate factors, made a clear error of judgment. See Rita v. United States, 127 S. Ct. 2456, 2462-68 (2007) (appellate presumption of reasonableness); United States v. Haack, 403 F.3d 997, 1003-04 (8th Cir. 2005) (factors used to review sentence for reasonableness).

After reviewing the record independently under Penon v. Ohio, 488 U.S. 75, 80 (1988), we find no non-frivolous issues. Accordingly, we affirm the district court's judgment and grant counsel leave to withdraw on condition that counsel inform appellant about the procedures for filing petitions for rehearing and for certiorari.
