

United States Court of Appeals
FOR THE EIGHTH CIRCUIT

No. 08-2729

United States of America,

Appellee,

v.

James L. Glass, also known as
Youngster, also known as Bazz,
also known as Jboy, also known as
Bazzy, also known as Bass,
also known as JB,

Appellant.

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* Appeal from the United States
* District Court for the
* District of Nebraska.
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* [UNPUBLISHED]
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Submitted: October 16, 2009
Filed: December 11, 2009

Before MURPHY, COLLOTON, and SHEPHERD, Circuit Judges.

PER CURIAM.

James Glass appeals the 130-month sentence the district court¹ imposed after he pleaded guilty to a drug offense. His counsel has filed a brief under Anders v. California, 386 U.S. 738 (1967), in which she moves to withdraw and suggests that

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

the district court erred in ordering Glass's federal sentence to run consecutively to a state sentence he was serving on an unrelated offense.

We hold that the district court did not abuse its discretion in imposing a consecutive sentence. See United States v. Winston, 456 F.3d 861, 867 (8th Cir. 2006) (district court's decision to impose consecutive or concurrent sentence reviewed for reasonableness); United States v. Haack, 403 F.3d 997, 1003 (8th Cir. 2005) (standard of review is whether district court abused discretion by imposing unreasonable sentence). The court noted its obligation to consider the 18 U.S.C. § 3553(a) factors, recited the factors, and explained its decision to run the federal sentence consecutively to the state sentence. See 18 U.S.C. § 3584(b) (directing district court to consider § 3553(a) factors in determining whether sentence should run consecutively to or concurrently with another sentence); Winston, 456 F.3d at 868 (sentence affirmed where district court explained its decision to run sentence consecutively and cited § 3553(a) factors).

Having reviewed the record independently under Penon v. Ohio, 488 U.S. 75, 80 (1988), we have found no nonfrivolous issues. Accordingly, we grant counsel's request to withdraw subject to counsel informing Glass of the procedures for seeking rehearing or filing a petition for writ of certiorari, and we affirm the judgment.
