

United States Court of Appeals
FOR THE EIGHTH CIRCUIT

No. 10-1773

United States of America,

Appellee,

v.

Carlos F. Thompson,

Appellant.

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* Appeal from the United States
* District Court for the
* Western District of Arkansas.
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* [UNPUBLISHED]
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Submitted: October 1, 2010
Filed: October 20, 2010

Before BYE, BOWMAN, and COLLOTON, Circuit Judges.

PER CURIAM.

A jury found Carlos Thompson guilty of knowingly possessing a firearm after having been convicted of a felony, in violation of 18 U.S.C. §§ 922(g)(1) and 924(a)(2). The district court¹ sentenced him within the calculated advisory Guidelines range to 51 months in prison and 3 years of supervised release, and ordered him to pay a fine of \$3,000. His counsel has moved to withdraw and has filed a brief under Anders v. California, 386 U.S. 738 (1967), challenging the court's denial of two

¹The Honorable Jimm Larry Hendren, Chief Judge, United States District Court for the Western District of Arkansas.

motions for appointment of new counsel, the sufficiency of the evidence to support Thompson's conviction, and the reasonableness of the sentence.

To begin, we conclude that the district court did not abuse its discretion in denying Thompson's motions for new counsel. See United States v. Anderson, 570 F.3d 1025, 1031 (8th Cir. 2009) (review standard; describing circumstances where defendant may be entitled to new counsel). We further conclude that there was sufficient evidence to support Thompson's conviction. See United States v. Myers, 575 F.3d 801, 808 (8th Cir. 2009) (this court reviews sufficiency of evidence viewing evidence in light most favorable to jury's verdict; verdict will be upheld if there is any interpretation of evidence that could lead reasonable jury to find defendant guilty beyond reasonable doubt); United States v. Bradley, 473 F.3d 866, 867 (8th Cir. 2007) (setting forth elements of § 922(g)(1) offense; government can prove defendant knowingly possessed firearm by showing he had actual or constructive possession of it). We also conclude that the district court did not impose an unreasonable sentence. See United States v. Feemster, 572 F.3d 455, 461, 464 (8th Cir. 2009) (en banc) (standards for reviewing sentence); United States v. Saddler, 538 F.3d 879, 890 (8th Cir. 2008) (describing circumstances where district court abuses its discretion and imposes unreasonable sentence).

Finally, having reviewed the record independently under Penon v. Ohio, 488 U.S. 75, 80 (1988), we find no nonfrivolous issue for appeal. Accordingly, we grant counsel's motion to withdraw, and we affirm the judgment of the district court.