

United States Court of Appeals
FOR THE EIGHTH CIRCUIT

No. 11-2703

United States of America,

Appellee,

v.

Alfredo Flores-Silva,

Appellant.

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Appeal from the United States
District Court for the
Southern District of Iowa.

[UNPUBLISHED]

Submitted: December 6, 2011
Filed: December 7, 2011

Before WOLLMAN, SMITH, and GRUENDER, Circuit Judges.

PER CURIAM.

Alfredo Flores-Silva pleaded guilty to conspiracy to distribute at least 500 grams of a mixture and substance containing methamphetamine and at least 50 grams of methamphetamine, in violation of 21 U.S.C. §§ 846, 841(a)(1), (b)(1)(A). The district court¹ sentenced him to 108 months in prison and 5 years of supervised release. On appeal, Flores-Silva's counsel moves to withdraw, and has filed a brief under Anders v. California, 386 U.S. 738 (1967), suggesting that the sentence is excessive.

¹The Honorable John A. Jarvey, United States District Judge for the Southern District of Iowa.

Upon careful review, we conclude that the district court, in sentencing Flores-Silva, committed no procedural error and imposed a substantively reasonable sentence. See United States v. Feemster, 572 F.3d 455, 461 (8th Cir. 2009) (en banc) (in reviewing sentences, appellate court first ensures that no significant procedural error occurred, then considers substantive reasonableness of sentence under abuse-of-discretion standard, taking into account totality of circumstances; if sentence is within Guidelines range, appellate court may apply presumption of reasonableness). Further, having reviewed the record under Penson v. Ohio, 488 U.S. 75 (1988), we find no nonfrivolous issues for appeal.

Accordingly, we grant counsel's motion to withdraw, and we affirm.
