

United States Court of Appeals
FOR THE EIGHTH CIRCUIT

No. 11-2929

United States of America,

Appellee,

v.

Javier Serrano Lopez, also known as
Omar Osuna Tapia, also known as
Javier Delfino Ojeda,

Appellant.

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* Appeal from the United States
* District Court for the
* Southern District of Iowa.
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* [UNPUBLISHED]
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Submitted: January 26, 2012
Filed: January 26, 2012

Before LOKEN, BOWMAN, and BENTON, Circuit Judges.

PER CURIAM.

Javier Serrano Lopez entered an unconditional guilty plea to a charge that he conspired 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. §§ 841(a)(1), 841(b)(1)(A), and 846. The district court¹ sentenced Lopez to serve 168 months in prison and 5 years of supervised release, and this appeal

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

followed. Counsel seeks leave to withdraw and has filed a brief under Anders v. California, 386 U.S. 738 (1967), arguing that the sentence is unreasonable. Lopez has not filed a supplemental brief.

The court did not impose an unreasonable sentence. The sentence falls at the lowest point of the advisory Guidelines range that applied in this case, and Lopez has not rebutted the resulting presumption of reasonableness. See United States v. Feemster, 572 F.3d 455, 461 (8th Cir. 2009) (en banc); United States v. Sicaros-Quintero, 557 F.3d 579, 583 (8th Cir. 2009). Further, after conducting our review of the record pursuant to Penson v. Ohio, 488 U.S. 75 (1988), we find no nonfrivolous issue. Accordingly, we affirm, and we grant counsel's motion to withdraw.
