

United States Court of Appeals
For the Eighth Circuit

No. 13-2353

United States of America

Plaintiff - Appellee

v.

Jimmy Wayne Adams

Defendant - Appellant

Appeal from United States District Court
for the Eastern District of Arkansas - Little Rock

Submitted: February 5, 2014

Filed: February 11, 2014

[Unpublished]

Before LOKEN, BYE, and COLLOTON, Circuit Judges.

PER CURIAM.

Jimmy Adams pleaded guilty to conspiring to possess with intent to distribute, and to distribute, 50 grams or more of methamphetamine, in violation of 21 U.S.C.

§§ 841(a)(1), (b)(1)(A), and 846. The district court¹ sentenced him to 175 months in prison and 5 years of supervised release. On appeal, his counsel has moved to withdraw, and in a brief filed under Anders v. California, 386 U.S. 738 (1967), counsel argues that the sentence imposed is substantively unreasonable because the court did not properly consider Adams's arguments for leniency and should have given less weight to some sentencing factors and more weight to others.

After careful review of the sentencing record before us, we conclude that the court did not abuse its considerable discretion in weighing relevant sentencing factors, see United States v. Foy, 617 F.3d 1029, 1037 (8th Cir. 2010) (discussing wide latitude given to district court judges in weighing sentencing factors), and gave due consideration to Adams's arguments, see United States v. Miles, 499 F.3d 906, 909 (8th Cir. 2007) (court's awareness of defendant's arguments indicates that court did not abuse discretion by failing to consider them). Accordingly, we reject counsel's argument that the sentence is substantively unreasonable. See United States v. Feemster, 572 F.3d 455, 461 (8th Cir. 2009) (en banc).

Finally, having independently reviewed the record under Penson v. Ohio, 488 U.S. 75, 80 (1988), we have found no nonfrivolous issues. Accordingly, we grant counsel's motion to withdraw and affirm.

¹The Honorable Brian S. Miller, Chief Judge, United States District Court for the Eastern District of Arkansas.