

United States Court of Appeals  
For the Eighth Circuit

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No. 14-2087

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United States of America

*Plaintiff - Appellee*

v.

Edward Jones

*Defendant - Appellant*

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Appeal from United States District Court  
for the Northern District of Iowa - Cedar Rapids

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Submitted: November 19, 2014

Filed: November 24, 2014

[Unpublished]

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Before SMITH, BOWMAN, and COLLOTON, Circuit Judges.

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PER CURIAM.

Edward Jones directly appeals the sentence the district court<sup>1</sup> imposed after he pleaded guilty to a drug offense. His counsel moves to withdraw, and in a brief filed

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<sup>1</sup>The Honorable Linda R. Reade, Chief Judge, United States District Court for the Northern District of Iowa.

under Anders v. California, 386 U.S. 738 (1967), he argues that the court abused its discretion in declining to vary below the advisory Guidelines range. After careful review, see United States v. Feemster, 572 F.3d 455, 461 (8th Cir. 2009) (en banc) (appellate review of sentencing decision), we find that the court did not abuse its discretion in declining to grant the requested variance, see United States v. Gonzalez, 573 F.3d 600, 608 (8th Cir. 2009) (upholding denial of motion for downward variance where court considered sentencing factors and properly explained rationale). We also conclude that the within-Guidelines-range sentence is substantively reasonable. See Feemster, 572 F.3d at 461 (if sentence is within Guidelines range, appellate court may apply presumption of substantive reasonableness). Finally, after independently reviewing the record under Penon v. Ohio, 488 U.S. 75, 80 (1988), we find no nonfrivolous issues. Accordingly, we grant counsel's motion to withdraw, and we affirm.

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