

United States Court of Appeals
For the Eighth Circuit

No. 14-1826

United States of America,

Plaintiff - Appellee,

v.

Clifford Pilcher,

Defendant - Appellant

Appeal from United States District Court
for the Western District of Arkansas - Fayetteville

Submitted: December 19, 2014

Filed: December 29, 2014

[Unpublished]

Before SMITH, BOWMAN, and COLLOTON, Circuit Judges.

PER CURIAM.

Clifford Pilcher directly appeals after he pled guilty to a drug-related offense and the district court¹ sentenced him within his calculated advisory Guidelines range

¹The Honorable Timothy L. Brooks, United States District Judge for the Western District of Arkansas.

to 80 months in prison. His counsel has moved to withdraw and has filed a brief under *Anders v. California*, 386 U.S. 738 (1967), challenging the reasonableness of Pilcher's sentence. Pilcher, pro se, has filed a document citing Federal Rule of Appellate Procedure 28(j), and requesting that his sentence be vacated and his case remanded to the district court so that he can be resentenced in accordance with a recently adopted Guidelines amendment which lowers the base offense levels for certain drug-related offenses.

Upon careful review, we conclude that the district court did not abuse its discretion in sentencing Pilcher. *See United States v. Feemster*, 572 F.3d 455, 461-62 (8th Cir. 2009) (en banc) (describing appellate review of sentences). We also decline to grant Pilcher's pro se request. *See* 18 U.S.C. § 3582(c)(2) (permitting motion for modification of prison term based on lowered sentencing range). Finally, having independently reviewed the record under *Penson v. Ohio*, 488 U.S. 75 (1988), we have found no nonfrivolous issues. Accordingly, the judgment is affirmed. We also grant counsel's motion to withdraw.
