

United States Court of Appeals
For the Eighth Circuit

No. 14-3055

United States of America

Plaintiff - Appellee

v.

Phillip Gregory Robinson

Defendant - Appellant

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

Submitted: March 25, 2015

Filed: March 31, 2015

[Unpublished]

Before WOLLMAN, MURPHY, and GRUENDER, Circuit Judges.

PER CURIAM.

Phillip Robinson directly appeals the sentence that the district court¹ imposed after he pleaded guilty to a drug offense. His counsel has moved to withdraw, and

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

has filed a brief under Anders v. California, 386 U.S. 738 (1967), arguing that the within-Guidelines-range sentence is substantively unreasonable. Robinson has filed a pro se brief, arguing that the court abused its discretion by focusing solely on his criminal history in sentencing him.

Upon review of the record before us, see United States v. Feemster, 572 F.3d 455, 461 (8th Cir. 2009) (en banc) (appellate review of sentencing decision), we conclude that the court carefully considered numerous 18 U.S.C. § 3553(a) sentencing factors, properly explained its rationale for denying a downward variance, and imposed a substantively reasonable sentence, see Gall v. United States, 552 U.S. 38, 51 (2007) (if sentence is within Guidelines range, appellate court may apply presumption of reasonableness); cf. United States v. Gonzalez, 573 F.3d 600, 608 (8th Cir. 2009) (upholding denial of downward variance where court considered sentencing factors and properly explained rationale). Further, having independently reviewed 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, subject to counsel informing appellant about procedures for seeking rehearing or filing a petition for certiorari. The judgment is affirmed.
