

United States Court of Appeals
For the Eighth Circuit

No. 15-2612

United States of America

Plaintiff - Appellee

v.

Jacob W. Deng

Defendant - Appellant

Appeal from United States District Court
for the District of Nebraska - Omaha

Submitted: February 4, 2016

Filed: February 11, 2016

[Unpublished]

Before BENTON, BOWMAN, and KELLY, Circuit Judges.

PER CURIAM.

Jacob Deng appeals from the judgment of the District Court¹ entered after a jury found Deng guilty of conspiracy to distribute and possess with intent to distribute 50

¹The Honorable Laurie Smith Camp, Chief Judge, United States District Court for the District of Nebraska.

grams or more of actual methamphetamine, 21 U.S.C. §§ 841(a)(1), 846; distribution of 5 grams or more of actual methamphetamine, 21 U.S.C. § 841(a)(1), (b)(1); possession with intent to distribute 50 grams or more of actual methamphetamine and a mixture or substance containing a detectable amount of marijuana, 21 U.S.C. § 841(a)(1), (b)(1); and being a felon in possession of a firearm, 18 U.S.C. §§ 922(g)(1), 924(a)(2). On appeal, in a brief filed under Anders v. California, 386 U.S. 738 (1967), counsel for Deng challenges the 235-month prison sentence that the court imposed.

After sustaining two of Deng’s objections to the U.S. Sentencing Guidelines calculations in the presentence report, the District Court sentenced Deng at the bottom of the recalculated Guidelines range. After careful review, we conclude that the sentence was not substantively unreasonable. See United States v. Waters, 799 F.3d 964, 974–75 (8th Cir. 2015). We have independently reviewed the record under Penson v. Ohio, 488 U.S. 75, 80 (1988), and we have found no nonfrivolous issues. We affirm the judgment and grant counsel’s motion to withdraw.
