

United States Court of Appeals  
For the Eighth Circuit

---

No. 22-3667

---

United States of America

*Plaintiff - Appellee*

v.

Anthony Caldwell, also known as Peta Man

*Defendant - Appellant*

---

Appeal from United States District Court  
for the Eastern District of Missouri - St. Louis

---

Submitted: December 5, 2023

Filed: December 27, 2023

[Unpublished]

---

Before COLLOTON, SHEPHERD, and KOBES, Circuit Judges.

---

PER CURIAM.

Anthony Caldwell appeals the sentence imposed by the district court<sup>1</sup> after he pleaded guilty to a drug offense. His counsel has moved for leave to withdraw, and

---

<sup>1</sup>The Honorable Stephen R. Clark, Chief Judge, United States District Court for the Eastern District of Missouri.

has filed a brief under Anders v. California, 386 U.S. 738 (1967), challenging the reasonableness of the sentence. Caldwell has filed a pro se brief raising additional sentencing issues.

Upon careful review, we conclude that the district court did not impose a substantively unreasonable sentence. See United States v. Feemster, 572 F.3d 455, 461-62 (8th Cir. 2009) (en banc) (sentences are reviewed for substantive reasonableness under deferential abuse-of-discretion standard; abuse of discretion occurs when court fails to consider relevant factor, gives significant weight to improper or irrelevant factor, or commits clear error of judgment in weighing appropriate factors). The record establishes that the district court adequately considered the sentencing factors listed in 18 U.S.C. § 3553(a). See United States v. Callaway, 762 F.3d 754, 760 (8th Cir. 2014) (on appeal, within-Guidelines-range sentence may be presumed reasonable).

As to the arguments in Caldwell's pro se brief, we conclude that Caldwell could not challenge the quantity of drugs attributed to him, as he stipulated to the drug quantity in his plea agreement. See United States v. Early, 77 F.3d 242, 244 (8th Cir. 1996) (per curiam) (defendant who did not challenge plea agreement or seek to withdraw from it was bound by its stipulations). We also conclude that the district court did not plainly err in calculating the Guidelines range. See United States v. Moore, 565 F.3d 435, 437 (8th Cir. 2009) (unobjected-to procedural sentencing error is reviewed under plain error standard).

We have independently reviewed the record under Penson v. Ohio, 488 U.S. 75 (1988), and we find no non-frivolous issues for appeal. Accordingly, we affirm the judgment, and grant counsel's motion to withdraw.