

United States Court of Appeals  
For the Eighth Circuit

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No. 23-2466

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United States of America

*Plaintiff - Appellee*

v.

Derrick Maurice Scott

*Defendant - Appellant*

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Appeal from United States District Court  
for the District of Minnesota

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Submitted: December 28, 2023

Filed: January 29, 2024

[Unpublished]

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Before COLLOTON, BENTON, and KELLY, Circuit Judges.

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PER CURIAM.

Derrick Maurice Scott appeals after a jury found him guilty of four drug and firearm offenses. The district court<sup>1</sup> imposed the statutory-minimum prison sentence

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<sup>1</sup>The Honorable Joan N. Ericksen, United States District Judge for the District of Minnesota.

on Count 2, and varied downward from the Guidelines and imposed sentences of time served on Counts 1, 3, and 4. Scott's counsel has moved for leave to withdraw, and has filed a brief under Anders v. California, 386 U.S. 738 (1967). In the Anders brief, counsel challenges the sentences imposed on Counts 1, 3, and 4, arguing that the district court abused its discretion by not imposing an even lower sentence or clearly erred by improperly weighing the sentencing factors.

Upon careful review, we conclude that the district court did not impose a substantively unreasonable sentence. The record shows that the court considered the 18 U.S.C. § 3553(a) factors and did not err in weighing the relevant factors. See United States v. Feemster, 572 F.3d 455, 461-62 (8th Cir. 2009) (en banc) (explaining that a sentencing court abuses its discretion when it fails to consider a relevant factor, gives significant weight to an improper or irrelevant factor, or commits a clear error of judgment in weighing the appropriate factors).

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

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