
No. 95-3957

United States of America,

Appellee,

v.

Brian Keith Brodie,

Appellant.

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Appeal from the United States
District Court for the
Western District of Missouri.

[UNPUBLISHED]

Submitted: June 25, 1996

Filed: July 5, 1996

Before BEAM, LOKEN, and MORRIS SHEPPARD ARNOLD, Circuit Judges.

PER CURIAM.

Brian Keith Brodie pleaded guilty to being a felon in possession of ammunition, in violation of 18 U.S.C. § 924(a)(2), and the district court¹ sentenced him to 37 months imprisonment and three years supervised release. On appeal, counsel has filed a brief pursuant to Anders v. California, 386 U.S. 738 (1967), and Brodie has filed a supplemental brief. We affirm.

We reject the assertion that Brodie's sentence was excessive, as he was sentenced within the applicable Guidelines sentencing range. We find no error in the district court's calculation of Brodie's criminal history score. See U.S.S.G. § 4A1.1(c), (d); U.S.S.G. § 4A1.2(a)(3). Finally, we hold that the arguments that

¹The Honorable Dean Whipple, United States District Judge for the Western District of Missouri.

Brodie raises in his supplemental brief are meritless: he was convicted and sentenced only for being a felon in possession of ammunition, and not for being a felon in possession of a firearm.

After reviewing the record in accordance with Penson v. Ohio, 488 U.S. 75, 80 (1988), we have found no nonfrivolous issues.

The judgment is affirmed.

A true copy.

Attest:

CLERK, U. S. COURT OF APPEALS, EIGHTH CIRCUIT.