

**United States Court of Appeals  
FOR THE EIGHTH CIRCUIT**

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No. 99-1474

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United States of America,	*	
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Appellee,	*	Appeal from the United States
	*	District Court for the Southern
v.	*	District of Iowa.
	*	
Dennis D. Miller,	*	[UNPUBLISHED]
	*	
Appellant.	*	

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Submitted: August 6, 1999  
Filed: August 16, 1999

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Before BEAM, FAGG, and HANSEN, Circuit Judges.

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PER CURIAM.

Dennis D. Miller challenges the sentence imposed by the district court after Miller pleaded guilty to production of child pornography and to possession of child pornography. After Miller's counsel filed a brief under Anders v. California, 386 U.S. 738 (1967), and moved to withdraw, we granted Miller permission to file a pro se supplemental brief but he has not done so.

In the Anders brief, counsel challenges the 188-month sentence imposed by the district court because 18 U.S.C. § 3553(a) requires the court to impose "a sentence sufficient, but not greater than necessary, to comply with the purposes set forth in" 18

U.S.C. § 3553(a)(2). Counsel argues that Miller's sentence is greater than necessary to satisfy those purposes. We disagree.

The district court referred to testimony about the harmful impact of Miller's conduct on his victims, stressed the flagrancy of his actions, and chose the maximum sentence available within the applicable range to punish and deter Miller, to protect society from him, and to deter others like him. We conclude the district court satisfactorily explained why the sentence was sufficient but not greater than necessary to reflect the seriousness of the offenses, promote respect for the law, provide just punishment, afford adequate deterrence, protect the public, and provide Miller with needed treatment. See 18 U.S.C. 3553(a)(2). We thus defer to the district court's exercise of its sentencing discretion. See Williams v. United States, 503 U.S. 193, 205 (1992).

Based on our independent review of the record, we find no nonfrivolous issues. See Penson v. Ohio, 488 U.S. 75 (1988). We thus affirm Miller's sentence and grant counsel's motion to withdraw.

A true copy.

Attest:

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