

United States Court of Appeals
FOR THE EIGHTH CIRCUIT

No. 05-2766

United States of America,

Appellee,

v.

Sharon Lee Walker,

Appellant.

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Appeal from the United States
District Court for the
Northern District of Iowa.

[UNPUBLISHED]

Submitted: May 31, 2006

Filed: June 13, 2006

Before ARNOLD, BYE, and SMITH, Circuit Judges.

PER CURIAM.

Sharon Lee Walker pleaded guilty to conspiring with others to commit financial-aid fraud, in violation of 18 U.S.C. § 371, and committing financial-aid fraud, in violation of 20 U.S.C. § 1097(a). The district court¹ sentenced Walker to 87 months in prison and 3 years of supervised release, and to pay restitution. On appeal, counsel has moved to withdraw and has filed a brief under Anders v. California, 386 U.S. 738 (1967), arguing that Walker's sentence is unreasonable.

¹The Honorable Linda R. Reade, United States District Judge for the Northern District of Iowa.

We conclude that the sentence is not unreasonable, as the district court sentenced Walker within the advisory Guidelines range and gave appropriate consideration to the factors in 18 U.S.C. § 3553(a). See United States v. Booker, 543 U.S. 220, 258-62 (2005) (district courts must consult Guidelines and take them into account when sentencing, along with other § 3553(a) factors; § 3553(a) factors guide inquiry as appellate courts review sentences to determine whether they are reasonable); United States v. Lincoln, 413 F.3d 716, 717-18 (8th Cir.) (sentence within Guidelines range is presumptively reasonable, and defendant must rebut such presumption), cert. denied, 126 S. Ct. 840 (2005); United States v. Tobacco, 428 F.3d 1148, 1151 (8th Cir. 2005) (presumptively reasonable sentence can be unreasonable if district court (1) failed to consider relevant factor that should have received significant weight; (2) gave significant weight to improper or irrelevant factor; or (3) considered only appropriate factors but in weighing those factors committed clear error of judgment).

Having reviewed the record independently pursuant to Penson v. Ohio, 488 U.S. 75 (1988), we conclude that there are no nonfrivolous issues for appeal. Accordingly, we affirm the judgment of the district court and grant counsel's motion to withdraw.
