

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

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No. 09-2241

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United States of America,

Appellee,

v.

Francisco Rodriguez-Orozco,

Appellant.

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

**[UNPUBLISHED]**

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Submitted: June 23, 2010

Filed: June 25, 2010

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Before LOKEN, BYE, and SHEPHERD, Circuit Judges.

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PER CURIAM.

After Francisco Rodriguez-Orozco pleaded guilty to drug and immigration offenses, the district court<sup>1</sup> varied downward from the applicable Guidelines range and sentenced him to a total of 70 months in prison and three years of supervised release. On appeal, his counsel has moved to withdraw and has filed a brief under Anders v. California, 386 U.S. 738 (1967), arguing that the sentence is unreasonable because Rodriguez-Orozco should have received the same sentence as a codefendant. After careful review we conclude that the sentence is not unreasonable, see United States

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<sup>1</sup>The Honorable Nanette K. Laughrey, United States District Judge for the Western District of Missouri.

v. Feemster, 572 F.3d 455, 461 (8th Cir. 2009) (en banc); United States v. Watson, 480 F.3d 1175, 1177 (8th Cir. 2007); and having reviewed the record independently under Penson v. Ohio, 488 U.S. 75, 80 (1988), we also find no nonfrivolous issues for appeal.<sup>2</sup> Accordingly, we affirm, and we grant counsel’s motion to withdraw.

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<sup>2</sup>In his pro se notice of appeal, Rodriguez-Orozco complains that counsel did not adequately represent him in this matter. However, generally we do not address claims of ineffective assistance of counsel in a direct criminal appeal. See United States v. McAdory, 501 F.3d 868, 872-73 (8th Cir. 2007).