

United States Court of Appeals
FOR THE EIGHTH CIRCUIT

No. 10-2163

United States of America,

Appellee,

v.

Ricardo Jefferson,

Appellant.

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

[UNPUBLISHED]

Submitted: October 22, 2010

Filed: October 27, 2010

Before WOLLMAN, MELLOY, and GRUENDER, Circuit Judges.

PER CURIAM.

Ricardo Jefferson appeals the 188-month prison sentence the district court¹ imposed after he pleaded guilty to distributing more than 5 grams of a mixture or substance containing cocaine base, in violation of 21 U.S.C. §§ 841(a)(1) and (b)(1)(B)(iii). His counsel has moved to withdraw and has filed a brief under Anders v. California, 386 U.S. 738 (1967), stating that Jefferson believes his sentence is too severe.

¹The Honorable Harry F. Barnes, United States District Judge for the Western District of Arkansas.

We conclude that the district court committed no procedural error and imposed a substantively reasonable sentence. See Gall v. United States, 552 U.S. 38, 51 (2007) (in reviewing sentence, appellate court first ensures that district court committed no significant procedural error, and then considers substantive reasonableness of sentence under abuse-of-discretion standard; if sentence is within applicable Guidelines range, appellate court may apply presumption of reasonableness); United States v. Haack, 403 F.3d 997, 1004 (8th Cir. 2005) (describing abuse of discretion).

Having reviewed the record under Penson v. Ohio, 488 U.S. 75 (1988), we find no nonfrivolous issues. Accordingly, we grant counsel's motion to withdraw, and we affirm.
