

United States Court of Appeals  
For the Eighth Circuit

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No. 15-1995

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United States of America

*Plaintiff - Appellee*

v.

Joshua Kain Smith

*Defendant - Appellant*

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Appeal from United States District Court  
for the Western District of Missouri - Kansas City

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Submitted: December 15, 2015

Filed: January 4, 2016

[Unpublished]

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Before LOKEN, BOWMAN, and COLLOTON, Circuit Judges.

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PER CURIAM.

Joshua Smith appeals from the sentence imposed by the District Court<sup>1</sup> after he pleaded guilty to sex trafficking of an adult and attempted sex trafficking of an

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<sup>1</sup>The Honorable Gary A. Fenner, United States District Judge for the Western District of Missouri.

adult. His counsel has moved to withdraw and has filed a brief under Anders v. California, 386 U.S. 738 (1967), arguing that the court erred in imposing restitution of \$23,406. Because Smith did not object to the amount of restitution at sentencing, we review only for plain error. See United States v. Louper-Morris, 672 F.3d 539, 566 (8th Cir. 2012) (standard of review). We find no such error. See 18 U.S.C. § 3663A (requiring the court to order that restitution be made to an identifiable victim if the defendant is convicted of, inter alia, a crime of violence). We have reviewed the record independently under Penson v. Ohio, 488 U.S. 75 (1988), and we find no nonfrivolous issues for appeal.

Accordingly, we affirm the judgment and grant counsel's motion to withdraw.

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