

United States Court of Appeals
For the Eighth Circuit

No. 16-3846

United States of America

Plaintiff - Appellee

v.

Francisco Guerrero Hernandez

Defendant - Appellant

Appeal from United States District Court
for the Southern District of Iowa - Des Moines

Submitted: July 27, 2017

Filed: August 1, 2017

[Unpublished]

Before GRUENDER, BOWMAN, and SHEPHERD, Circuit Judges.

PER CURIAM.

Francisco Guerrero Hernandez (Guerrero) directly appeals the sentence the district court¹ imposed after he pleaded guilty to conspiracy to distribute

¹The Honorable John A. Jarvey, Chief Judge, United States District Court for the Southern District of Iowa.

methamphetamine. His counsel has moved for leave to withdraw, and has filed a brief under Anders v. California, 386 U.S. 738 (1967).

As to counsel's arguments, we find no error in the district court's determination of the drug quantity attributable to Guerrero, and no other issues warranting relief. See United States v. Turner, 781 F.3d 374, 393 (8th Cir. 2015) (this court reviews district court's application of Guidelines de novo, and its findings of fact for clear error); United States v. Young, 689 F.3d 941, 945 (8th Cir. 2012) (in drug conspiracy case, attributable drug quantity includes quantities attributable directly to defendant as well as quantities attributable to reasonably foreseeable actions of others taken to further conspiracy). In addition, we have independently reviewed the record under Penson v. Ohio, 488 U.S. 75 (1988), and have found no nonfrivolous issues for appeal. Accordingly, we grant counsel's motion to withdraw and affirm the judgment.
