

United States Court of Appeals
For the Eighth Circuit

No. 19-1971

United States of America

Plaintiff - Appellee

v.

Tondrell Darnez Gary, Jr.

Defendant - Appellant

Appeal from United States District Court
for the Northern District of Iowa - Waterloo

Submitted: December 9, 2019

Filed: December 12, 2019

[Unpublished]

Before LOKEN, SHEPHERD, and ERICKSON, Circuit Judges.

PER CURIAM.

Tondrell Gary appeals the sentence imposed by the district court¹ after he pleaded guilty to a firearm offense. His counsel has moved for leave to withdraw,

¹The Honorable C. J. Williams, United States District Judge for the Northern District of Iowa.

and has filed a brief under Anders v. California, 386 U.S. 738 (1967), arguing that the sentence was unreasonable.

Upon careful review, we conclude that the district court did not impose a substantively unreasonable sentence. See United States v. Feemster, 572 F.3d 455, 461-62 (8th Cir. 2009) (sentences are reviewed for substantive reasonableness under deferential abuse of discretion standard; abuse of discretion occurs when court fails to consider relevant factor, gives significant weight to improper or irrelevant factor, or commits clear error of judgment in weighing appropriate factors). The record establishes that the district court adequately considered the sentencing factors listed in 18 U.S.C. § 3553(a). See United States v. Wohlman, 651 F.3d 878, 887 (8th Cir. 2011) (court need not mechanically recite § 3553(a) factors, so long as it is clear from record that court actually considered them in determining sentence).

We have also independently reviewed the record under Penson v. Ohio, 488 U.S. 75 (1988), and we find no non-frivolous issues for appeal. Accordingly, we affirm the judgment, and we grant counsel's motion to withdraw.
