

United States Court of Appeals
For the Eighth Circuit

No. 20-1468

United States of America

Plaintiff - Appellee

v.

Nicholas John Gruner

Defendant - Appellant

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

Submitted: August 5, 2020

Filed: August 10, 2020

[Unpublished]

Before LOKEN, GRUENDER, and KELLY, Circuit Judges.

PER CURIAM.

Nicholas Gruner appeals after he pleaded guilty to a controlled substance offense and the district court¹ imposed a sentence at the bottom of the advisory

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

sentencing guideline range. His counsel has moved for leave to withdraw, and has filed a brief under Anders v. California, 386 U.S. 738 (1967), challenging the substantive reasonableness of the sentence.

Having carefully reviewed the record under a deferential abuse-of-discretion standard, see Gall v. United States, 552 U.S. 38, 41 (2007), we conclude that the district court did not impose a substantively unreasonable sentence. The court properly considered the factors set forth in 18 U.S.C. § 3553(a), and there is no indication that the court overlooked a relevant factor, gave significant weight to an improper or irrelevant factor, or committed a clear error of judgment in weighing relevant factors. See United States v. Feemster, 572 F.3d 455, 461-62 (8th Cir. 2009) (en banc); see also United States v. Munz, 780 F.3d 1199, 1200-01 (8th Cir. 2015) (per curiam). Furthermore, 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 we affirm the judgment.
