

United States Court of Appeals
For the Eighth Circuit

No. 20-2116

United States of America

Plaintiff - Appellee

v.

Michael Wayne Holton

Defendant - Appellant

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

Submitted: December 14, 2020

Filed: December 17, 2020

[Unpublished]

Before SHEPHERD, KELLY, and STRAS, Circuit Judges.

PER CURIAM.

Michael Holton received a 96-month sentence after he pleaded guilty to being a felon in possession of a firearm. *See* 18 U.S.C. §§ 922(g)(1), 924(a)(2). In an *Anders* brief, Holton's counsel suggests that the sentence is substantively unreasonable and requests permission to withdraw. *See Anders v. California*, 386 U.S. 738 (1967).

We conclude that Holton’s sentence is substantively reasonable. *See United States v. Feemster*, 572 F.3d 455, 461 (8th Cir. 2009) (en banc) (recognizing that we review sentences, even those “outside the Guidelines range,” under “a deferential abuse-of-discretion standard” (quotation marks omitted)). The record establishes that the district court¹ sufficiently considered the statutory sentencing factors, 18 U.S.C. § 3553(a), and did not rely on an improper factor or commit a clear error of judgment. *See United States v. Larison*, 432 F.3d 921, 923–24 (8th Cir. 2006).

We have also independently reviewed the record and conclude that no other non-frivolous issues exist. *See Penson v. Ohio*, 488 U.S. 75, 82–83 (1988). We accordingly affirm the judgment of the district court and grant counsel permission to withdraw.

¹The Honorable Leonard T. Strand, Chief Judge, United States District Court for the Northern District of Iowa.