

United States Court of Appeals
FOR THE EIGHTH CIRCUIT

No. 06-2578

United States of America,

*

Appellee,

*

v.

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Ramiro R. Urbina,

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* Appeal from the United States

* District Court for the

* Western District of Missouri.

*

Appellant.

* [UNPUBLISHED]

Submitted: October 31, 2007

Filed: November 8, 2007

Before WOLLMAN, COLLOTON, and BENTON, Circuit Judges.

PER CURIAM.

Ramiro Urbina challenges the district court's¹ amended judgment resentencing him to 360 months in prison and 5 years of supervised release. In a prior decision, we affirmed Urbina's conviction, and remanded for resentencing in light of United States v. Booker, 543 U.S. 220 (2005). On this appeal, in a brief filed under Anders v. California, 386 U.S. 738 (1967), Urbina's counsel challenges the length of Urbina's prison term, and makes a conclusory allegation that Urbina has been the victim of prosecutorial vindictiveness and selective law enforcement. In his pro se brief, Urbina

¹The Honorable Richard E. Dorr, United States District Judge for the Western District of Missouri.

contends that corruption pervaded every aspect of his criminal proceeding, and he focuses on the injustice of the denial of his motion to suppress.

Following careful review, we conclude that the district court did not impose an unreasonable sentence. See United States v. Haack, 403 F.3d 997, 1003-04 (8th Cir. 2005). Moreover, the denial of Urbina's motion to suppress was resolved against him during his first appeal, and he may not revisit the suppression ruling or any aspect of his conviction here. See Urbina, 431 F.3d at 309-10; United States v. Waltermann, 408 F.3d 1084, 1086 (8th Cir. 2005); United States v. Behler, 187 F.3d 772, 776-77 (8th Cir. 1999).

After reviewing the record independently under Penon v. Ohio, 488 U.S. 75 (1988), we have found no non-frivolous issues for appeal. Accordingly, we affirm the judgment of the district court, and we grant counsel's motion to withdraw.
