

**United States Court of Appeals
FOR THE EIGHTH CIRCUIT**

No. 09-2370

United States of America,

Appellee,

v.

David Lee Koebele,

Appellant.

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Appeal from the United States
District Court for the
Northern District of Iowa.

[UNPUBLISHED]

Submitted: March 3, 2010

Filed: March 5, 2010

Before BYE, RILEY, and SHEPHERD, Circuit Judges.

PER CURIAM.

In this direct criminal appeal, David Koebele challenges the sentence the district court¹ imposed after he pleaded guilty to an attempted sex offense, in violation of 18 U.S.C. § 2422(b). Counsel has moved to withdraw, and has filed a brief under Anders v. California, 386 U.S. 738 (1967), arguing that the district court committed plain error in imposing an excessive term of supervised release.

¹The Honorable Linda R. Reade, Chief Judge, United States District Court for the Northern District of Iowa.

We hold that the district court did not commit plain error in sentencing Koebele to a 25-year term of supervised release, which is well within the statutory limit of life. See 18 U.S.C. § 3583(k); United States v. Ristine, 335 F.3d 692, 694 (when defendant fails to raise timely objection to term of supervised release, review is for plain error). Further, having reviewed the record independently under Penson v. Ohio, 488 U.S. 75, 80 (1988), we find no nonfrivolous issues. Accordingly, we affirm the district court's judgment and we grant counsel leave to withdraw.
