

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

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No. 10-1742

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United States of America,

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Appellee,

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v.

\* Appeal from the United States

Gregory Stanek,

\* District Court for the

Appellant.

\* District of Nebraska.

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\* [UNPUBLISHED]

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Submitted: September 23, 2010

Filed: October 6, 2010

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Before LOKEN, MURPHY, and BENTON, Circuit Judges.

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PER CURIAM.

Gregory Stanek challenges the sentence the district court<sup>1</sup> imposed after he pleaded guilty to (1) conspiring to distribute and possess with intent to distribute 500 grams or more of a mixture or substance containing methamphetamine and 5 kilograms or more of a mixture or substance containing cocaine, in violation of 21 U.S.C. §§ 841(a)(1), (b)(1)(A)(viii) and 846, and 18 U.S.C. § 2; (2) using and carrying a firearm in furtherance of a drug trafficking crime, in violation of 18 U.S.C. §§ 924(c)(1)(A); and (3) forfeiture under 18 U.S.C. § 924(d) and 28 U.S.C. §§ 2461

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<sup>1</sup>The Honorable Laurie Smith Camp, United States District Judge for the District of Nebraska.

and 5872. His counsel has moved to withdraw, and has filed a brief under Anders v. California, 386 U.S. 738 (1967), arguing that the sentence is unreasonable. Having reviewed the district court's sentence for abuse of discretion as required under United States v. Feemster, 572 F.3d 455, 461 (8th Cir. 2009) (en banc), we conclude that the sentence is not unreasonable, see United States v. Sicaros-Quintero, 557 F.3d 579, 583 (8th Cir. 2009) (presumption of reasonableness to sentence at bottom of Guidelines range); United States v. Watson, 480 F.3d 1175, 1177 (8th Cir. 2007) (discussing abuse of discretion). Further, we have reviewed the record independently under Penson v. Ohio, 488 U.S. 75, 80 (1988), and have found no non-frivolous issues for appeal.

Accordingly, we affirm the district court's judgment, and we grant counsel's motion to withdraw, subject to counsel informing appellant about procedures for seeking rehearing and filing a petition for certiorari.

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