

United States Court of Appeals
FOR THE EIGHTH CIRCUIT

No. 10-3506

United States of America,

Appellee,

v.

Treston Dishongh Harris,

Appellant.

*
*
*
*
*
*
*
*
*
*

Appeal from the United States
District Court for the Eastern
District of Arkansas.

[UNPUBLISHED]

Submitted: March 21, 2011

Filed: March 31, 2011

Before MELLOY, GRUENDER, and BENTON, Circuit Judges.

PER CURIAM.

Treston Dishongh Harris appeals the sentence the district court¹ imposed after he pled guilty to conspiring to distribute more than 5 grams of a mixture or substance containing a detectable amount of cocaine base, in violation of 21 U.S.C. §§ 841(a)(1), (b)(1)(B), and § 846 (2009). Counsel has moved to withdraw, and has filed a brief under Anders v. California, 386 U.S. 738 (1967).

¹The Honorable Susan Webber Wright, United States District Judge for the Eastern District of Arkansas.

We conclude that the district court committed no procedural error in sentencing Harris, and that the court imposed a substantively reasonable sentence. See Gall v. United States, 552 U.S. 38, 51 (2007) (in reviewing sentence, appellate court first ensures that district court committed no significant procedural error, and then considers substantive reasonableness of sentence under abuse-of-discretion standard); United States v. Haack, 403 F.3d 997, 1004 (8th Cir. 2005) (describing ways in which court might abuse its discretion at sentencing).

Having reviewed the record independently under Penon v. Ohio, 488 U.S. 75 (1988), we have found no nonfrivolous issues. Accordingly, we grant counsel's motion to withdraw, and we affirm.
