

United States Court of Appeals
For the Eighth Circuit

No. 13-2906

United States of America

Plaintiff - Appellee

v.

Juan Francisco Alamo-Santellanes, also known as Paco, also known as Jose
Rusben Alamo-Santellanes

Defendant - Appellant

Appeal from United States District Court
for the District of Minnesota - St. Paul

Submitted: March 7, 2014
Filed: March 13, 2014
[Unpublished]

Before WOLLMAN, MURPHY, and SMITH, Circuit Judges.

PER CURIAM.

Juan Alamo-Santellanes directly appeals the sentence imposed by the district court¹ after he pleaded guilty to a drug offense. His counsel has moved to withdraw,

¹The Honorable Patrick J. Schiltz, United States District Judge for the District of Minnesota.

and has filed a brief under Anders v. California, 386 U.S. 738 (1967), arguing that Alamo-Santellanes's statutory-minimum prison term is substantively unreasonable.

After careful review, we conclude that Alamo-Santellanes's challenge to his sentence fails because the district court lacked authority to impose a sentence below the statutory minimum. See United States v. Watts, 553 F.3d 603, 604 (8th Cir. 2009) (per curiam) (district courts lack authority to reduce sentences below congressionally-mandated statutory minimums); United States v. Gregg, 451 F.3d 930, 937 (8th Cir. 2006) (United States v. Booker, 543 U.S. 220 (2005), does not relate to statutorily imposed sentences). Having reviewed the record independently in accordance with Penson v. Ohio, 488 U.S. 75, 80 (1988), we find no nonfrivolous issues. Therefore, we grant counsel's motion to withdraw, subject to counsel informing Alamo-Santellanes about procedures for seeking rehearing or filing a petition for certiorari. The judgment is affirmed.
