

**United States Court of Appeals
For the Eighth Circuit**

No. 13-2989

United States of America

Plaintiff - Appellee

v.

Brenda Ann Stacker

Defendant - Appellant

Appeal from United States District Court
for the Western District of Missouri - Jefferson City

Submitted: February 21, 2014

Filed: February 27, 2014

[Unpublished]

Before WOLLMAN, MURPHY, and SMITH, Circuit Judges.

PER CURIAM.

Brenda Ann Stacker pleaded guilty to a fraud offense, and was sentenced by the district court¹ to 4 years of probation. On appeal, counsel for Stacker seeks to

¹The Honorable Fernando J. Gaitan, Jr., United States District Judge for the Western District of Missouri.

withdraw and has filed a brief under Anders v. California, 386 U.S. 738 (1967), arguing that the court abused its discretion by failing to convert Stacker's felony conviction into a misdemeanor. We reject this argument as legally unfounded. Having reviewed the record independently under Penson v. Ohio, 488 U.S. 75, 80 (1988), we find no non-frivolous issues. Therefore, we grant counsel's motion to withdraw, subject to his informing Stacker about procedures for seeking rehearing or filing a petition for certiorari. The judgment is affirmed.
