

United States Court of Appeals
For the Eighth Circuit

No. 15-2616

United States of America

Plaintiff - Appellee

v.

Dong Pyou Han

Defendant - Appellant

Appeal from United States District Court
for the Southern District of Iowa - Des Moines

Submitted: January 4, 2016

Filed: January 11, 2016

[Unpublished]

Before SMITH, BYE, and SHEPHERD, Circuit Judges.

PER CURIAM.

Dong Pyou Han directly appeals the 57-month sentence imposed by the district court¹ after he pleaded guilty to making false statements. His counsel has moved to

¹The Honorable James E. Gritzner, United States District Judge for the Southern District of Iowa.

withdraw, and has filed a brief under Anders v. California, 386 U.S. 738 (1967), arguing that the sentence was unreasonable. We conclude that the within-Guidelines sentence was not substantively unreasonable. See United States v. Salazar-Aleman, 741 F.3d 878, 881 (8th Cir. 2013) (under substantive review, district court abuses its discretion if it fails to consider relevant factor, gives significant weight to improper or irrelevant factor, or commits clear error of judgment in weighing factors); United States v. Cook, 698 F.3d 667, 670 (8th Cir. 2012) (treating within-Guidelines sentence as presumptively reasonable on appeal). We have reviewed the record independently under Penson v. Ohio, 488 U.S. 75 (1988), and we find no nonfrivolous issues for appeal.

Accordingly, we affirm the judgment, and we grant counsel's motion to withdraw.
