

United States Court of Appeals
For the Eighth Circuit

No. 15-3300

United States of America

Plaintiff - Appellee

v.

Gregg Morris McGee, also known as Jimmy Ray Williams, also known as Mykiel Lewis, also known as Calvin McGee, also known as Greg Morris McGee, also known as Gregory Morris McGee

Defendant - Appellant

Appeal from United States District Court
for the Northern District of Iowa - Cedar Rapids

Submitted: January 19, 2016

Filed: January 29, 2016

[Unpublished]

Before WOLLMAN, ARNOLD, and SMITH, Circuit Judges.

PER CURIAM.

Gregg McGee appeals the sentence the district court¹ imposed after he pled guilty to a felon-in-possession charge. His counsel has filed a brief under Anders v. California, 386 U.S. 738 (1967), challenging the substantive reasonableness of Mr. McGee's within-Guidelines-range prison term. Upon careful review, we conclude that the district court properly weighed relevant sentencing factors, and did not impose a substantively unreasonable sentence. See United States v. Feemster, 572 F.3d 455, 461 (8th Cir. 2009) (en banc) (discussing appellate review of sentencing decisions; abuse of discretion occurs when district court (1) fails to consider relevant factor that should have received significant weight, (2) gives significant weight to improper or irrelevant factor, or (3) considers only appropriate factors but in weighing those factors commits clear error of judgment; if sentence is within Guidelines range, appellate court may apply presumption of reasonableness). In addition, we have independently reviewed the record in accordance with Penon v. Ohio, 488 U.S. 75, 80 (1988), and have found no non-frivolous issues. Accordingly, the judgment is affirmed.

¹The Honorable Linda R. Reade, Chief Judge, United States District Court for the Northern District of Iowa.