

United States Court of Appeals
For the Eighth Circuit

No. 17-1197

United States of America

Plaintiff - Appellee

v.

Jeremiah J. Watson

Defendant - Appellant

Appeal from United States District Court
for the Eastern District of Missouri - Cape Girardeau

Submitted: October 6, 2017

Filed: October 25, 2017

[Unpublished]

Before LOKEN, MURPHY, and SHEPHERD, Circuit Judges.

PER CURIAM.

In this direct criminal appeal, Jeremiah Watson challenges the 120-month sentence the district court¹ imposed upon re-sentencing, following its grant of relief

¹The Honorable Stephen N. Limbaugh, Jr., United States District Judge for the Eastern District of Missouri.

under 28 U.S.C. § 2255 based on Johnson v. United States, 135 S. Ct. 2551 (2015). His counsel has submitted a brief under Anders v. California, 386 U.S. 738 (1967), arguing that the court did not adequately consider the 18 U.S.C. § 3553(a) factors. Watson has filed a pro se brief raising the same argument as counsel.

We conclude that the district court did not abuse its discretion in sentencing Watson within the Guidelines range; in particular, the court did not commit an error of judgment in weighing the relevant sentencing factors. See United States v. Wohlman, 651 F.3d 878, 887 (8th Cir. 2011); United States v. Feemster, 572 F.3d 455, 461 (8th Cir. 2009) (en banc). Furthermore, we have independently reviewed the record under Penson v. Ohio, 488 U.S. 75 (1988), and have found no non-frivolous issues for appeal.

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