

United States Court of Appeals
For the Eighth Circuit

No. 17-2294

United States of America

Plaintiff - Appellee

v.

Larry Jesus Navarete, also known as Larry Navarrete, also known as NICA

Defendant - Appellant

Appeal from United States District Court
for the Western District of Arkansas - Fayetteville

Submitted: April 23, 2018

Filed: April 26, 2018

[Unpublished]

Before WOLLMAN, LOKEN, and KELLY, Circuit Judges.

PER CURIAM.

In this direct criminal appeal, Larry Navarete challenges the sentence the district court¹ imposed after he pleaded guilty to a drug charge. His counsel has moved to

¹The Honorable Timothy L. Brooks, United States District Judge for the Western District of Arkansas.

withdraw and submitted a brief under Anders v. California, 386 U.S. 738 (1967), considering whether the sentence was procedurally unsound, substantively unreasonable, or otherwise illegally imposed.

After careful review, we conclude that no procedural error occurred, and any such error would have been harmless because the district court stated that it would have imposed the same sentence even if it had sustained Navarete's objections. See United States v. LaRoche, 700 F.3d 363, 365 (8th Cir. 2012). We further conclude that the district court did not impose an unreasonable sentence, as there was no indication that it overlooked a relevant section 18 U.S.C. § 3553 factor, or committed a clear error of judgment in weighing relevant factors, see United States v. David, 682 F.3d 1074, 1077 (8th Cir. 2012) (standard of review); United States v. Wohlman, 651 F.3d 878, 887 (8th Cir. 2011); and the sentence was within the Guidelines range, see United States v. Callaway, 762 F.3d 754, 760 (8th Cir. 2014).

Having independently reviewed the record pursuant to Penson v. Ohio, 488 U.S. 75 (1988), we find no nonfrivolous issues for appeal. Accordingly, we grant counsel's motion to withdraw, and affirm.
