

United States Court of Appeals
For the Eighth Circuit

No. 17-3227

United States of America

Plaintiff - Appellee

v.

Keeyon M. Dunbar

Defendant - Appellant

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

Submitted: June 1, 2018

Filed: June 8, 2018

Before SHEPHERD, KELLY, and GRASZ, Circuit Judges.

PER CURIAM.

Keeyon Dunbar (“Dunbar”) directly appeals the within-Guidelines-range sentence the district court¹ imposed after he pled guilty to being a felon in possession of a firearm. His counsel has moved for leave to withdraw and has filed a brief under

¹The Honorable Howard F. Sachs, United States District Judge for the Western District of Missouri.

Anders v. California, 386 U.S. 738 (1967), arguing that the district court erred in calculating Dunbar’s base offense level by treating a prior felony bank robbery conviction as a “crime of violence” under U.S.S.G. § 2K2.1(a)(4)(A) (offense level of 20 applies to unlawful possession of a firearm if the defendant has a prior felony conviction for a crime of violence), and that the sentence is substantively unreasonable.

First, we find no error in the district court’s calculation of the Guidelines range, *see United States v. Turner*, 781 F.3d 374, 393 (8th Cir. 2015) (this court reviews the district court’s application of Guidelines de novo, and its findings of fact for clear error), as bank robbery is a crime of violence, *see United States v. Harper*, 869 F.3d 624, 626-27 (8th Cir. 2017) (bank robbery is crime of violence under U.S.S.G. § 4B1.2(a)); *United States v. Ossana*, 638 F.3d 895, 898 (8th Cir. 2011) (the term “crime of violence” under § 2K2.1(a)(4)(A) has the same meaning as in § 4B1.2(a)).

In addition, we conclude that the district court did not impose a substantively unreasonable sentence. *See United States v. Feemster*, 572 F.3d 455, 461-62 (8th Cir. 2009) (en banc) (reviewing reasonableness of sentence under abuse-of-discretion standard); *see also United States v. Callaway*, 762 F.3d 754, 760 (8th Cir. 2014) (on appeal, within-Guidelines-range sentence is presumed reasonable).

Finally, we have independently reviewed the record under *Penson v. Ohio*, 488 U.S. 75, 92 (1988), and have found no nonfrivolous issues for appeal. Accordingly, we grant counsel’s motion to withdraw and we affirm.