

United States Court of Appeals
For the Eighth Circuit

No. 17-3541

United States of America

Plaintiff - Appellee

v.

Magali Marroquin, also known as Tiffany

Defendant - Appellant

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

Submitted: December 7, 2018
Filed: December 14, 2018
[Unpublished]

Before COLLTON, GRUENDER, and SHEPHERD, Circuit Judges.

PER CURIAM.

Magali Marroquin directly appeals the sentence the district court¹ imposed after she pleaded guilty to identity-theft offenses. Her counsel has moved to withdraw and

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

has filed a brief under Anders v. California, 386 U.S. 738 (1967), challenging the sentence as substantively unreasonable. Marroquin has not filed a pro se brief.

Upon careful review, we conclude that Marroquin's sentence is not unreasonable. See United States v. Feemster, 572 F.3d 455, 461 (8th Cir. 2009) (en banc) (reviewing sentence under deferential abuse-of-discretion standard); United States v. Magnum, 625 F.3d 466, 469-70 (8th Cir. 2010) (holding that upward variance was reasonable where court made individualized assessment of 18 U.S.C. § 3553(a) factors based on facts presented and considered defendant's proffered information); United States v. Lewis, 593 F.3d 765, 773 (8th Cir. 2010) (holding denial of downward variance was substantively reasonable, as court considered arguments for downward variance and exercised its discretion in rejecting them). Having independently reviewed the record under Penson v. Ohio, 488 U.S. 75 (1988), we find no nonfrivolous issues for appeal. Accordingly, we grant counsel leave to withdraw, and affirm.
