

United States Court of Appeals  
For the Eighth Circuit

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No. 18-1349

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United States of America

*Plaintiff - Appellee*

v.

Ricky Allen Smith

*Defendant - Appellant*

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

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Submitted: September 4, 2018

Filed: September 5, 2018

[Unpublished]

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Before LOKEN, KELLY, and ERICKSON, Circuit Judges.

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PER CURIAM.

In this direct criminal appeal, Ricky Smith challenges the sentence the district court<sup>1</sup> imposed after he pleaded guilty to drug charges. His counsel has moved to

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<sup>1</sup>The Honorable P.K. Holmes, III, Chief Judge, United States District Court for the Western District of Arkansas.

withdraw and submitted a brief under Anders v. California, 386 U.S. 738 (1967), arguing that the sentence was substantively unreasonable.

After careful review, we conclude that the district court did not impose an unreasonable sentence, as there was no indication that it overlooked a relevant 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.

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