

United States Court of Appeals
For the Eighth Circuit

No. 18-1660

United States of America

Plaintiff - Appellee

v.

Allen Kentroy Stevens

Defendant - Appellant

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

Submitted: November 12, 2018

Filed: November 26, 2018

[Unpublished]

Before COLLOTON, GRUENDER, and SHEPHERD, Circuit Judges.

PER CURIAM.

Allen Stevens pleaded guilty to distributing methamphetamine and possessing a firearm in furtherance of a drug-trafficking crime, and the district court¹ sentenced

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

him to consecutive prison terms of 210 months for the drug conviction and 60 months for the firearm conviction, for a total of 270 months in prison, to be followed by five years of supervised release. Stevens appeals, and in a brief filed under Anders v. California, 386 U.S. 738 (1967), Stevens's counsel challenges the substantive reasonableness of Stevens's sentence.

Upon careful review, we conclude that the district court did not abuse its discretion when it sentenced Stevens. See United States v. Feemster, 572 F.3d 455, 461-62 (8th Cir. 2009) (en banc) (explaining standard of review). The record establishes that the district court considered the sentencing factors listed in 18 U.S.C. § 3553(a) and ultimately sentenced Stevens to a prison term below the advisory United States Sentencing Guidelines imprisonment range. See United States v. Torres-Ojeda, 829 F.3d 1027, 1030 (8th Cir. 2016) (where defendant was sentenced below advisory Guidelines range, noting it is nearly inconceivable that district court abused its discretion in not varying downward further).

We have also independently reviewed the record under Penson v. Ohio, 488 U.S. 75 (1988), and there are no non-frivolous issues for appeal. Accordingly, we affirm the judgment, and we grant counsel's motion to withdraw.
