

**United States Court of Appeals**  
**For the Eighth Circuit**

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No. 18-2937

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United States of America

*Plaintiff - Appellee*

v.

Jose Maria Valencia, also known as Don Chema

*Defendant - Appellant*

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

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Submitted: June 19, 2019

Filed: June 24, 2019

[Unpublished]

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Before COLLOTON, ERICKSON, and STRAS, Circuit Judges.

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PER CURIAM.

Jose Valencia pleaded guilty to conspiracy to distribute methamphetamine, 21 U.S.C. §§ 841(a)(1), (b)(1)(A), 846. The district court<sup>1</sup> sentenced him to life in

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

prison. In an *Anders* brief, Valencia's counsel suggests that the sentence is substantively unreasonable and requests permission to withdraw. *See Anders v. California*, 386 U.S. 738 (1967).

We conclude that Valencia's sentence is substantively reasonable. *See United States v. Feemster*, 572 F.3d 455, 461–62 (8th Cir. 2009) (en banc) (discussing appellate review of sentencing decisions); *see also United States v. Callaway*, 762 F.3d 754, 760 (8th Cir. 2014) (stating that a within-Guidelines-range sentence is presumptively reasonable). The record establishes that the district court sufficiently considered the statutory sentencing factors, 18 U.S.C. § 3553(a), and did not rely on an improper factor or commit a clear error of judgment. *See United States v. Wohlman*, 651 F.3d 878, 887 (8th Cir. 2011); *Feemster*, 572 F.3d at 461. We have also independently reviewed the record and conclude that no other non-frivolous issues exist. *See Penson v. Ohio*, 488 U.S. 75, 82–83 (1988). Accordingly, we affirm the judgment and grant counsel permission to withdraw.

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