

United States Court of Appeals
For the Eighth Circuit

No. 20-2125

United States of America

Plaintiff - Appellee

v.

Griffin Riley Davis

Defendant - Appellant

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

Submitted: February 1, 2021

Filed: February 10, 2021

[Unpublished]

Before COLLOTON, GRUENDER, and SHEPHERD, Circuit Judges.

PER CURIAM.

Griffin Davis appeals the above-Guidelines sentence imposed by the district court¹ after he pleaded guilty to a firearms offense. His counsel has moved for leave

¹The Honorable Leonard T. Strand, Chief Judge, United States District Court for the Northern District of Iowa.

to withdraw, and has filed a brief under Anders v. California, 386 U.S. 738 (1967), arguing that the sentence is unreasonable.

Upon careful review, we conclude that the district court did not abuse its discretion by departing upward from the Guidelines; and did not impose a substantively unreasonable sentence, as the court properly considered the factors listed in 18 U.S.C. § 3553(a), and did not err in weighing the relevant factors. See United States v. Vasquez, 552 F.3d 734, 738 (8th Cir. 2009) (departures from sentencing Guidelines are reviewed for abuse of discretion); United States v. Feemster, 572 F.3d 455, 461-62 (8th Cir. 2009) (sentences are reviewed for substantive reasonableness under deferential abuse of discretion standard; abuse of discretion occurs when court fails to consider relevant factor, gives significant weight to improper or irrelevant factor, or commits clear error of judgment in weighing appropriate factors).

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