

United States Court of Appeals  
For the Eighth Circuit

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No. 22-3001

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United States of America

*Plaintiff - Appellee*

v.

Charles Rouell, also known as Charley

*Defendant - Appellant*

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

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Submitted: February 2, 2023

Filed: February 8, 2023

[Unpublished]

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Before LOKEN, BENTON, and ERICKSON, Circuit Judges.

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PER CURIAM.

Charles Rouell appeals after he pleaded guilty to conspiring to distribute methamphetamine. His counsel has moved to withdraw, and has filed a brief under Anders v. California, 386 U.S. 738 (1967), challenging the sentence.

Upon careful review, we conclude that the district court<sup>1</sup> did not err in imposing the below-Guidelines sentence that Rouell received. See United States v. Feemster, 572 F.3d 455, 461 (8th Cir. 2009) (en banc); United States v. Moore, 581 F.3d 681, 684 (8th Cir. 2009) (per curiam). The record reflects that the court properly calculated the Guidelines range and considered the 18 U.S.C. § 3553(a) factors, and there is no indication the court overlooked a relevant factor, or committed a clear error of judgment in weighing relevant factors. Specifically, the court did not err in characterizing Rouell as deeply involved in the conspiracy; and although the sentence was longer than those of some of his codefendants, it was adequately justified based on his role in the conspiracy and his significant criminal history. See United States v. Farmer, 647 F.3d 1175, 1179 (8th Cir. 2011); United States v. Vasquez, 433 F.3d 666, 671 (8th Cir. 2006).

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

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