## United States Court of Appeals For the Eighth Circuit

No. 22-3027	

United States of America

Plaintiff - Appellee

v.

Darryl Keath Green

Defendant - Appellant

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

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Submitted: January 11, 2023 Filed: January 17, 2023 [Unpublished]

Before GRUENDER, MELLOY, and STRAS, Circuit Judges.

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PER CURIAM.

Darryl Green appeals the sentence the district court<sup>1</sup> imposed after he pleaded guilty to a drug offense. His counsel has moved for leave to withdraw, and has filed

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

a brief under <u>Anders v. California</u>, 386 U.S. 738 (1967), challenging the substantive reasonableness of the sentence.

Upon careful review, we conclude that the district court did not impose a substantively unreasonable sentence. <u>See United States v. Feemster</u>, 572 F.3d 455, 461-62 (8th Cir. 2009) (en banc) (sentences are reviewed for substantive reasonableness under deferential abuse-of-discretion standard; discussing substantive reasonableness); <u>see also United States v. Callaway</u>, 762 F.3d 754, 760 (8th Cir. 2014) (within-Guidelines sentence is presumed reasonable).

We have also independently reviewed the record under <u>Penson v. Ohio</u>, 488 U.S. 75 (1988), and we find no non-frivolous issues for appeal. Accordingly, we affirm the judgment of the district court and grant counsel's motion to withdraw.

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