

United States Court of Appeals
FOR THE EIGHTH CIRCUIT

No. 08-3038

United States of America,

Appellee,

v.

Kenneth Lee Richardson,

Appellant.

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* Appeal from the United States
* District Court for the
* Northern District of Iowa.
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* [UNPUBLISHED]
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Submitted: December 4, 2009

Filed: December 9, 2009

Before WOLLMAN, RILEY, and SMITH, Circuit Judges.

PER CURIAM.

Kenneth Richardson (Richardson) pled guilty to receipt and attempted receipt of child pornography, in violation of 18 U.S.C. § 2252A(a)(2)(A), (b)(1). The district court¹ imposed a sentence of 151 months in prison and 10 years of supervised release. On appeal, Richardson's counsel has moved to withdraw and filed a brief under Anders v. California, 386 U.S. 738 (1967), arguing the sentence was unreasonable given Richardson's minimal criminal history, mental-health problems, and successful drug-abuse treatment.

¹The Honorable Linda R. Reade, Chief Judge, United States District Court for the Northern District of Iowa.

We conclude Richardson's sentence, which was at the bottom of the undisputed advisory Guidelines range, was reasonable. See United States v. Feemster, 572 F.3d 455, 461, 464 (8th Cir. 2009) (en banc) (standard of review); United States v. Sicaros-Quintero, 557 F.3d 579, 583 (8th Cir. 2009) (according a presumption of reasonableness to a sentence at the bottom of the Guidelines range). There is no indication in the record that the district court overlooked or misapplied any relevant 18 U.S.C. § 3553(a) factor, or gave significant weight to an improper or irrelevant factor. See United States v. Stults, 575 F.3d 834, 849 (8th Cir. 2009) (explaining that where the record reflected the district court made an individualized assessment based upon the facts presented and specifically addressed defendant's proffered information in the court's consideration of the sentencing factors, the sentence was not unreasonable).

After reviewing the record independently under Penson v. Ohio, 488 U.S. 75 (1988), we find no nonfrivolous issues for appeal. We grant counsel's motion to withdraw, and we affirm the judgment.
