

United States Court of Appeals
For the Eighth Circuit

No. 13-1835

United States of America

Plaintiff - Appellee

v.

Joseph Pierre Williams, also known as JP

Defendant - Appellant

Appeal from United States District Court
for the Eastern District of Arkansas - Little Rock

Submitted: December 10, 2013

Filed: December 18, 2013

[Unpublished]

Before LOKEN, BOWMAN, and GRUENDER, Circuit Judges.

PER CURIAM.

Joseph Williams directly appeals the 175-month prison sentence that the district court¹ imposed upon him after he pleaded guilty to possessing oxycodone

¹The Honorable Susan Webber Wright, United States District Judge for the Eastern District of Arkansas.

with intent to distribute, in violation of 21 U.S.C. § 841(a)(1) and (b)(1)(C). His counsel has moved to withdraw, and in a brief filed under Anders v. California, 386 U.S. 738 (1967), counsel suggests that the sentence was unreasonable, and that the district court abused its discretion by improperly weighing the sentencing factors of 18 U.S.C. § 3553(a) and by applying a presumption of reasonableness to the applicable Sentencing Guidelines range.

After careful review, we conclude that the district court adequately considered the sentencing factors. See United States v. Feemster, 572 F.3d 455, 461 (8th Cir. 2009) (en banc) (standard of review). We find nothing in the record to suggest that the district court applied a presumption of reasonableness to the Guidelines range. See Rita v. United States, 551 U.S. 338, 351 (2007). It is within our discretion to apply a presumption of reasonableness to Williams's sentence because it falls within the undisputed Guidelines range, and we do so here. See Feemster, 572 F.3d at 461.

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