

United States Court of Appeals
For the Eighth Circuit

No. 19-1851

United States of America

Plaintiff - Appellee

v.

Byron Christopher Teehee, also known as Ernie

Defendant - Appellant

Appeal from United States District Court
for the Southern District of Iowa - Des Moines

Submitted: November 20, 2019

Filed: November 25, 2019

[Unpublished]

Before GRUENDER, WOLLMAN, and KOBES, Circuit Judges.

PER CURIAM.

Byron Teehee appeals the sentence the district court¹ imposed after he pleaded guilty to a drug offense. His counsel has moved to withdraw and has filed a brief

¹The Honorable Stephanie M. Rose, United States District Judge for the Southern District of Iowa.

under *Anders v. California*, 386 U.S. 738 (1967), challenging the substantive reasonableness of the sentence.

After careful review, we conclude that the district court did not impose an unreasonable sentence. The court properly considered the factors set forth in 18 U.S.C. § 3553(a), and there is no indication that the court considered an improper or irrelevant factor or committed a clear error in weighing relevant factors. *See United States v. Salazar-Aleman*, 741 F.3d 878, 881 (8th Cir. 2013) (discussing appellate review of sentencing decisions). Further, the court imposed a sentence below the guidelines imprisonment range. *See United States v. Lazarski*, 560 F.3d 731, 733 (8th Cir. 2009) (stating that where the district court varied downward from the guidelines range, it was “nearly inconceivable” that the court abused its discretion in not varying downward further).

Having independently reviewed the record under *Penson v. Ohio*, 488 U.S. 75 (1988), we find no non-frivolous issues for appeal. Accordingly, we grant counsel’s motion and affirm.
