

United States Court of Appeals
For the Eighth Circuit

No. 24-2521

United States of America

Plaintiff - Appellee

v.

Sylvester George Taylor Staples

Defendant - Appellant

No. 24-2522

United States of America

Plaintiff - Appellee

v.

Sylvester George Taylor Staples

Defendant - Appellant

No. 24-2523

United States of America

Plaintiff - Appellee

v.

Sylvester George Taylor Staples

Defendant - Appellant

Appeals from United States District Court
for the Southern District of Iowa - Eastern

Submitted: March 18, 2025

Filed: March 21, 2025

[Unpublished]

Before GRUENDER, SHEPHERD, and STRAS, Circuit Judges.

PER CURIAM.

After Sylvester Staples pleaded guilty to possessing a firearm as a felon, see 18 U.S.C. §§ 922(g)(1), 924(a)(8), the district court¹ revoked his supervised release in two other cases, sent him back to prison for 24 months, and imposed a consecutive 137-month sentence for the new crime he committed. An *Anders* brief suggests the sentences are procedurally and substantively flawed. See *Anders v. California*, 386 U.S. 738 (1967).

We conclude otherwise. Staples’s prior Illinois convictions for attempted armed robbery and aggravated battery qualified as “crime[s] of violence,” which increased the advisory sentencing range for the felon-in-possession count. U.S.S.G. § 2K2.1(a)(2); see *United States v. Bragg*, 44 F.4th 1067, 1077–78 (8th Cir. 2022); *United States v. Brown*, 916 F.3d 706, 708 (8th Cir. 2019) (per curiam); *United*

¹The Honorable Stephen H. Locher, United States District Judge for the Southern District of Iowa.

States v. Roman, 917 F.3d 1043, 1046–47 (8th Cir. 2019). From there, the district court selected the sentences and explained its reasoning for each one. *See United States v. Miller*, 557 F.3d 910, 915–16 (8th Cir. 2009) (reviewing for an abuse of discretion). In doing so, it sufficiently considered the statutory sentencing factors, *see* 18 U.S.C. §§ 3553(a), 3583(e)(3), and did not rely on an improper factor or commit a clear error of judgment. *See United States v. Townsend*, 617 F.3d 991, 994 (8th Cir. 2010) (per curiam) (explaining that the district court “may give some factors less weight than a defendant prefers or more to other factors, but that alone does not justify reversal” (citation omitted)). Nor did it abuse its discretion by considering Staples’s involvement in an uncharged murder, which the government proved by a preponderance of the evidence. *See United States v. Waller*, 689 F.3d 947, 959–60 (per curiam) (8th Cir. 2012) (explaining that other crimes can be relevant to a defendant’s history and characteristics).

We have also independently reviewed the record and conclude that no other non-frivolous issues exist. *See Penson v. Ohio*, 488 U.S. 75, 82–83 (1988). We accordingly affirm the judgments of the district court and grant counsel permission to withdraw in all three cases.
