

September 23, 2024

DAVON R. WILLIAMS,
Petitioner,

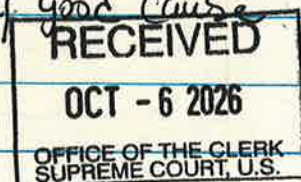
V.S.

UNITED STATES OF AMERICA,
Respondents,

MOTION TO LEAVE COURT
TO FILE AN EXTENSION OF TIME

Pro Se,

COMES NOW, the undersign, DAVON WILLIAMS
humbly requesting a 60 day extension from Judgment
No. 25-2705 in U.S. COURT OF APPEALS for the
EIGHT CIRCUIT entered July 16, 2024, for good
cause of lack of opportunity to review all the rules
and caselaw that needs articulations to preserve
my arguments. The following are my good cause
statements:



1 In like that the Petitioner is in prison and is a pro se be aforded 60 more days to ensure Petitioner has ~~enough~~ enough time to present his Certiorari.

2. FBOP ~~policy~~ policy, when the compound is on lock down, conflicts with maintaining liberty to research ~~as~~ case law or utilize the law library.

CONCLUSION

THEREFORE, the undersign humbly request this honorable ~~to~~ court to grant an extension of time to ~~to~~ file the certiorari

Respectfully Submitted,

28 U.S.C. 1746

by: DAVON R. WILLIAMS

1s/ Davon R. Williams

Reg. #93267509

USP Pollock

P.O. Box 2099

Pollock, LA 71467

CERTIFICATE OF SERVICE

I, DAVON WILLIAMS, do swear or declare that
on this date, ~~September~~ September 23, 2026
filed motion to extend by de posting an envelope
in the United States mail properly addressed to each
party with first class postage prepaid.

28 U.S.C. 1746

by DAVON R. WILLIAMS

By Davon R. Williams

Reg # 93267509

USP Pollock

P.O. Box 2099

Pollock, LA 71467

United States Court of Appeals
For the Eighth Circuit

No. 25-2705

United States of America

Plaintiff - Appellee

v.

Davon R. Williams

Defendant - Appellant

Appeal from United States District Court
for the Western District of Missouri - Kansas City

Submitted: July 9, 2026

Filed: July 16, 2026

[Unpublished]

Before GRUENDER, SHEPHERD, and JUSTIN D. SMITH, Circuit Judges.

PER CURIAM.

Davon Williams appeals after a jury convicted him of drug and firearm offenses and the district court¹ sentenced him to 420 months in prison. His counsel

¹The Honorable David Gregory Kays, United States District Judge for the Western District of Missouri.

has moved for leave to withdraw, and has filed a brief under Anders v. California, 386 U.S. 738 (1967), challenging the sentence. Williams has filed a pro se brief challenging his conviction and the calculation of the Guidelines range.

Upon careful review, we conclude that Williams's arguments based on Johnson v. United States, 576 U.S. 591 (2015) and United States v. Davis, 588 U.S. 445 (2019) are unavailing. See In re Navarro, 931 F.3d 1298, 1302 (11th Cir. 2019) (per curiam) (18 U.S.C. § 924(c) conviction based on drug-trafficking crimes is outside the scope of Johnson and Davis). We also conclude that the evidence at trial was sufficient to support Williams's convictions for possessing firearms in furtherance of drug-trafficking crimes, see United States v. Timlick, 481 F.3d 1080, 1082 (8th Cir. 2007) (sufficiency of evidence to sustain conviction is reviewed de novo); United States v. Spears, 454 F.3d 830, 832 (8th Cir. 2006) (appellate court does not weigh evidence or assess credibility of witnesses; examining evidence in light most favorable to verdict and accepting all reasonable inferences which tend to support jury verdict; appellate court will reverse only if no reasonable jury could have found defendant guilty beyond reasonable doubt); and that the district court did not err in giving non-model jury instructions, see United States v. Owens, 966 F.3d 700, 705 (8th Cir. 2020) (model jury instructions serve as helpful suggestions but are not binding on the district courts unless promulgated by this court).

We further conclude that the district court did not err in calculating Williams's Guidelines range, and note that any error would have been harmless, as the court stated that it would have imposed the same sentence even if it had sustained his objections. See United States v. Turner, 781 F.3d 374, 393 (8th Cir. 2015) (construction and application of Guidelines are reviewed de novo; factual findings are reviewed for clear error); United States v. Hamilton, 929 F.3d 943, 948 (8th Cir. 2019) (Guidelines miscalculation is harmless when the district court indicates that it would have alternatively imposed the same sentence even if a lower range applied).

As to the argument in the Anders brief, we conclude that the district court did not impose a substantively unreasonable sentence, as the court properly considered the factors listed in 18 U.S.C. § 3553(a) and did not err in weighing the relevant factors. See United States v. Feemster, 572 F.3d 455, 461-62 (8th Cir. 2009) (en banc) (reviewing sentences for substantive reasonableness under deferential abuse of discretion standard; abuse of discretion occurs when the court fails to consider relevant factor, gives significant weight to an improper or irrelevant factor, or commits a clear error of judgment in weighing the appropriate factors). Further, the court imposed a sentence below the Guidelines range. See United States v. McCauley, 715 F.3d 1119, 1127 (8th Cir. 2013) (noting that when the district court has varied below the Guidelines range, it is “nearly inconceivable” that the court abused its discretion in not varying further).

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