

**NONPRECEDENTIAL DISPOSITION**

To be cited only in accordance with FED. R. APP. P. 32.1

**United States Court of Appeals**

**For the Seventh Circuit  
Chicago, Illinois 60604**

Submitted April 4, 2025

Decided April 8, 2025

**Before**

DIANE S. SYKES, *Chief Judge*

CANDACE JACKSON-AKIWUMI, *Circuit Judge*

JOSHUA P. KOLAR, *Circuit Judge*

No. 24-2268

UNITED STATES OF AMERICA,  
*Plaintiff-Appellee,*

*v.*

L'OREAL ROSS,  
*Defendant-Appellant.*

Appeal from the United States District  
Court for the Northern District of  
Illinois, Eastern Division.

No. 1:21-CR-00129(5)

Edmond E. Chang,  
*Judge.*

**ORDER**

L'Oreal Ross pleaded guilty to multiple counts of conspiracy and identity theft. The district judge sentenced her to 30 months' imprisonment and 18 months of supervised release. She appealed, but her appointed counsel asserts that the appeal is frivolous and moves to withdraw. *See Anders v. California*, 386 U.S. 738, 744 (1967). Because counsel's analysis appears thorough, and Ross did not respond to the motion, *see* CIR. R. 51(b), we limit our review to the subjects that counsel discusses. *See United*

*States v. Bey*, 748 F.3d 774, 776 (7th Cir. 2014). We grant the motion and dismiss the appeal.

From 2018 to 2019, Ross participated in a conspiracy with United States Postal Service employees to steal credit cards and personal information in the mail that would be used to make fraudulent purchases. She pleaded guilty to three charges: conspiring to steal mail, and to traffic in or use, with intent to defraud, one or more credit cards, 18 U.S.C. §§ 371, 1708, 1029(a)(2) (Count 1); attempting to traffic in or use, with intent to defraud, one or more credit cards, *id.* §§ 1029(a)(2), (b)(1), and 2 (Count 17); and aggravated identity theft, *id.* § 1028A(a)(1) (Count 18).

At sentencing, the district judge calculated a guidelines range of 24–30 months for Counts 1 and 17, with a statutory minimum consecutive sentence of 24 months for Count 18. After hearing from the parties, the judge acknowledged Ross’s acceptance of responsibility, lack of criminal history, difficult upbringing, health concerns, and support network. He also stressed the seriousness of the offenses, the need for general deterrence, and the sentencing disparities between other members of the conspiracy. The judge then sentenced her to 30 months—24 months arising from the statutory minimum for Count 18, plus 6 months each for Counts 1 and 17, to run concurrently. He also imposed two 18-month periods of supervised release for Counts 1 and 17 and a 12-month period for Count 18 (all running concurrently), \$462,718.81 of restitution and \$300 for the special assessment.

In his *Anders* submission, counsel informs us that Ross does not wish to challenge her guilty plea, so counsel appropriately refrains from discussing any arguments related to the plea’s validity. *See United States v. Konczak*, 683 F.3d 348, 349 (7th Cir. 2012); *United States v. Knox*, 287 F.3d 667, 670–71 (7th Cir. 2002).

Counsel first confirms that the sentence did not exceed the statutory maximum. The maximum penalties for two of the counts (five years for Count 1, *see* 18 U.S.C. § 371, and ten years for Count 17, *see* 18 U.S.C. 1209(c)(1)(A)(i)) far exceed the six-month sentences that the district judge imposed. And Count 18 carries a statutory minimum of 24 months, which is required to run consecutively. *See id.* § 1028A(a)(1), (b)(2).

Counsel rightly rejects challenging the court’s calculation of the guidelines range. The district judge correctly assessed Ross’s guidelines range for Counts 1 and 17 at 24–30 months, based on a total offense level of 17 and a criminal history category of I. U.S.S.G. § 5.A. And Count 18 carried a guidelines sentence of 24 months, as prescribed by statute. U.S.S.G. § 2B1.6; 18 U.S.C. § 1028A(a)(1), (b)(2).

We also agree with counsel that a challenge to the substantive reasonableness of Ross's sentence would be frivolous. The six months imposed by the judge falls below the Guidelines, and so we presume the sentence to be substantively reasonable. *United States v. Wehrle*, 985 F.3d 549, 557 (7th Cir. 2021). We see no basis in the record that might rebut that presumption, given the judge's justification of the sentence under the applicable § 3553(a) factors. The judge highlighted that the offense was a serious one, particularly in terms of destruction of trust in the Postal Service, and that others needed to be deterred from doing the same thing. 18 U.S.C. § 3553(a)(1), (2)(B). The judge also acknowledged Ross's arguments in mitigation.

As counsel points out, Ross's 18-month term of supervision for Counts 1 and 17 and 1-year term for Count 18 were within the applicable statutory limits, *see* 18 U.S.C. § 3583(b)(2)–(3). The judge also appropriately exercised his discretion, based on Ross's prior struggles with alcohol abuse, to impose a condition barring alcohol use.

Finally, counsel correctly concludes that Ross cannot challenge the restitution or special assessment. She waived her challenge to the restitution order when she confirmed for the judge that she had time to review the presentence report (which included the restitution calculation) and told the judge that she did not object to the facts in the report. *See United States v. Harris*, 102 F.4th 847, 852 (7th Cir. 2024). And Ross's \$100 special assessment per count was within the applicable statutory limit. 18 U.S.C. § 3013(a)(2)(A).

Therefore, we GRANT counsel's motion to withdraw and DISMISS the appeal.