

United States Court of Appeals
For the Eighth Circuit

No. 13-3227

United States of America,

Plaintiff - Appellee,

v.

Antoine Williams,

Defendant - Appellant.

Appeal from United States District Court
for the Northern District of Iowa, Waterloo

Submitted: June 2, 2014

Filed: June 5, 2014

[Unpublished]

Before BYE, COLLOTON, and BENTON, Circuit Judges.

PER CURIAM.

Antoine Williams appeals the sentence imposed by the district court¹ after he pleaded guilty to a drug-conspiracy offense. His counsel has moved to withdraw, and

¹The Honorable Linda R. Reade, Chief Judge, United States District Court for the Northern District of Iowa.

has filed a brief under Anders v. California, 386 U.S. 738 (1967), arguing that the appeal waiver in Williams's plea agreement should not be enforced, and that the district court erred in denying a downward-variance motion and recommending that Williams's sentence run consecutively to sentences imposed in his pending state criminal cases. Williams has filed a pro se brief challenging his sentence and arguing that his counsel was ineffective.

We decline to consider Williams's ineffective-assistance arguments on direct appeal. See United States v. McAdory, 501 F.3d 868, 872-73 (8th Cir. 2007). As to the remaining arguments asserted in this appeal, we enforce the appeal waiver. See United States v. Andis, 333 F.3d 886, 889-92 (8th Cir. 2003) (en banc). Finally, having reviewed the record independently under Penon v. Ohio, 488 U.S. 75 (1988), we find no non-frivolous issues outside the scope of the waiver.

Accordingly, we decline to consider Williams's ineffective-assistance arguments on direct appeal, we dismiss this appeal based upon the appeal waiver in Williams's plea agreement, and we grant counsel leave to withdraw.
