

United States Court of Appeals  
For the Eighth Circuit

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No. 16-3691

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United States of America,

*Plaintiff - Appellee,*

v.

Randy Mull,

*Defendant - Appellant.*

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

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Submitted: April 28, 2017

Filed: May 1, 2017

[Unpublished]

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Before COLLOTON, BOWMAN, and KELLY, Circuit Judges.

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PER CURIAM.

Randy Mull directly appeals the 30-year sentence imposed by the district court<sup>1</sup> after he pleaded guilty to producing child pornography, pursuant to a written plea

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<sup>1</sup>The Honorable Roseann A. Ketchmark, United States District Judge for the Western District of Missouri.

agreement that contained a waiver of the right to appeal his conviction and sentence. Mull's counsel has moved to withdraw, and in a brief filed under *Anders v. California*, 386 U.S. 738 (1967), counsel challenges the sentence as substantively unreasonable.

We will enforce the appeal waiver in this case, because our review of the record demonstrates that Mull entered into the plea agreement and the appeal waiver knowingly and voluntarily. The only argument presented falls within the scope of the appeal waiver, and no miscarriage of justice would result from enforcing the waiver. *See United States v. Andis*, 333 F.3d 886, 889-92 (8th Cir. 2003) (en banc). Having independently reviewed the record under *Penon v. Ohio*, 488 U.S. 75 (1988), we find no nonfrivolous issues for appeal falling outside the scope of the appeal waiver.

Accordingly, we grant counsel's motion to withdraw, and we dismiss this appeal.

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