

United States Court of Appeals
FOR THE EIGHTH CIRCUIT

No. 07-2987

United States of America,

Appellee,

v.

Heron Velez-Paz,

Appellant.

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Appeal from the United States
District Court for the
Southern District of Iowa.

[UNPUBLISHED]

Submitted: April 24, 2009

Filed: April 29, 2009

Before WOLLMAN, MURPHY, and MELLOY, Circuit Judges.

PER CURIAM.

After Heron Velez-Paz pleaded guilty to illegal reentry after having been deported following an aggravated-felony conviction, in violation of 8 U.S.C. § 1326(a), (b)(2), the district court¹ sentenced him within the advisory Guidelines range to 46 months in prison and 2 years of supervised release. On appeal, his counsel has filed a brief under Anders v. California, 386 U.S. 738 (1967). For the reasons discussed below, we affirm.

¹The Honorable Robert W. Pratt, Chief Judge, United States District Court for the Southern District of Iowa.

Counsel argues that Velez-Paz's conviction is not supported by sufficient evidence. We conclude that this argument is foreclosed by Velez-Paz's unconditional guilty plea. See United States v. Jennings, 12 F.3d 836, 839 (8th Cir. 1994).

Having reviewed the record independently under Penon v. Ohio, 488 U.S. 75, 80 (1988), we find no nonfrivolous issues. Accordingly, we affirm the district court's judgment.
