

United States Court of Appeals
For the Eighth Circuit

No. 13-1371

United States of America

Plaintiff - Appellee

v.

Anthony C. Deloney

Defendant - Appellant

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

Submitted: August 2, 2013

Filed: August 5, 2013

[Unpublished]

Before LOKEN, COLLOTON, and KELLY, Circuit Judges.

PER CURIAM.

Anthony Deloney pleaded guilty to possessing stolen firearms, knowing or having reasonable cause to believe that at least one was stolen, in violation of 18

U.S.C. §§ 922(j) and 924(a)(2). The district court¹ sentenced him to 100 months in prison and 3 years of supervised release. On appeal, Deloney's counsel has moved to withdraw and has filed a brief under Anders v. California, 386 U.S. 738 (1967), arguing that the court erred in denying Deloney's motion to suppress evidence and in imposing the 100-month sentence.

Counsel's arguments fail. Deloney's guilty plea foreclosed a challenge to the ruling on his motion to suppress because the plea agreement did not preserve any right to appeal the ruling, see United States v. Limley, 510 F.3d 825, 827 (8th Cir. 2007), and the court did not abuse its discretion in imposing the 100-month sentence, which was at the bottom of the unobjected-to Guidelines range, see United States v. Feemster, 572 F.3d 455, 461, 464 (8th Cir. 2009) (en banc).

After reviewing the record independently under Penon v. Ohio, 488 U.S. 75 (1988), we have found no nonfrivolous issues. Accordingly, we grant counsel's motion to withdraw, and we affirm.

¹The Honorable Fernando J. Gaitan, Chief Judge, United States District Court for the Western District of Missouri.