

United States Court of Appeals
For the Eighth Circuit

No. 15-2992

United States of America

Plaintiff - Appellee

v.

Shelton E. Lewis, also known as C, also known as Steve Johnson

Defendant - Appellant

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

Submitted: March 18, 2016

Filed: March 23, 2016

[Unpublished]

Before WOLLMAN, BOWMAN, and MURPHY, Circuit Judges.

PER CURIAM.

Shelton E. Lewis directly appeals the sentence imposed by the district court¹ after he pleaded guilty to extortionate communications and money laundering. His

¹The Honorable Howard F. Sachs, United States District Judge for the Western District of Missouri.

counsel has moved to withdraw, and has filed a brief under Anders v. California, 386 U.S. 738 (1967), arguing that the sentence was unreasonable. Lewis has submitted a pro se brief in which he argues that the district court abused its discretion in imposing an above-Guidelines sentence, because the Guidelines' enhancements accounted for the seriousness of the offense, and the court did not adequately discuss the section 3553(a) factors. We conclude that Lewis's appeal waiver should be enforced and prevents consideration of his claims. See United States v. Scott, 627 F.3d 702, 704 (8th Cir. 2010) (de novo review of validity and applicability of appeal waiver); United States v. Andis, 333 F.3d 886, 889-90 (8th Cir. 2003) (en banc) (court should enforce appeal waiver and dismiss appeal where it falls within scope of waiver, plea agreement and waiver were entered into knowingly and voluntarily, and no miscarriage of justice would result). Having independently reviewed the record under Penson v. Ohio, 488 U.S. 75 (1988), we find no nonfrivolous issues for appeal.

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