

United States Court of Appeals
For the Eighth Circuit

No. 15-3229

United States of America

Plaintiff - Appellee

v.

Robert Lovett-El

Defendant - Appellant

Appeal from United States District Court
for the Eastern District of Missouri - St. Louis

Submitted: April 1, 2016

Filed: April 6, 2016

[Unpublished]

Before WOLLMAN, BOWMAN, and MURPHY, Circuit Judges.

PER CURIAM.

Robert Lovett-El directly appeals the sentence imposed by the district court¹ after he pleaded guilty to conspiring to distribute heroin and possessing a firearm in

¹The Honorable Audrey G. Fleissig, United States District Judge for the Eastern District of Missouri.

furtherance of a drug-trafficking crime. His 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. We conclude that Lovett-El's appeal waiver should be enforced and prevents consideration of his claim. 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.
