## **United States Court of Appeals** For the Eighth Circuit

No. 16-1355

United States of America

Plaintiff - Appellee

v.

Juan Jose Olivares, also known as Juan Jose Oliveros

Defendant - Appellant

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

> Submitted: July 7, 2016 Filed: July 12, 2016 [Unpublished]

Before MURPHY, BOWMAN, and BENTON, Circuit Judges.

PER CURIAM.

Juan Olivares appeals from the sentence the District Court<sup>1</sup> imposed after he pleaded guilty to a drug offense. His written plea agreement included an appeal

<sup>&</sup>lt;sup>1</sup>The Honorable Gary A. Fenner, United States District Judge for the Western District of Missouri.

waiver. His counsel has moved to withdraw and filed a brief in accordance with <u>Anders v. California</u>, 386 U.S. 738 (1967), arguing that the sentence was unreasonable. We conclude that the appeal waiver is enforceable. <u>See United States v. Scott</u>, 627 F.3d 702, 704 (8th Cir. 2010) (reviewing de novo "the validity and applicability" of an appeal waiver); <u>United States v. Andis</u>, 333 F.3d 886, 889–92 (8th Cir.) (en banc) (discussing enforcement of appeal waivers), <u>cert. denied</u>, 540 U.S. 997 (2003). We have independently reviewed the record under <u>Penson v. Ohio</u>, 488 U.S. 75 (1988), and have found no non-frivolous issues for appeal. Accordingly, we grant counsel's motion to withdraw, and we dismiss this appeal.