

United States Court of Appeals
For the Eighth Circuit

No. 16-1469

United States of America

Plaintiff - Appellee

v.

Markeith Deshun Thomas

Defendant - Appellant

Appeal from United States District Court
for the Eastern District of Arkansas - Little Rock

Submitted: August 2, 2016

Filed: August 8, 2016

[Unpublished]

Before LOKEN, BENTON, and KELLY, Circuit Judges.

PER CURIAM.

Markeith Deshun Thomas directly appeals the sentence imposed by the district court¹ after he pled guilty to possessing and selling stolen firearms in violation of 18

¹The Honorable J. Leon Holmes, United States District Judge for the Eastern District of Arkansas.

U.S.C. §§ 922(j) and 924(a)(2). His counsel has moved to withdraw and filed a brief under *Anders v. California*, 386 U.S. 738 (1967). Having jurisdiction under 28 U.S.C. § 1291, this court dismisses the appeal.

Thomas'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). An independent review of the record under *Penson v. Ohio*, 488 U.S. 75 (1988), reveals no non-frivolous issues for appeal.

The appeal is dismissed and counsel's motion to withdraw is granted.
