

United States Court of Appeals
For the Eighth Circuit

No. 17-2893

United States of America

Plaintiff - Appellee

v.

Montarris Marquis Raiford

Defendant - Appellant

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

Submitted: April 18, 2018

Filed: April 23, 2018

[Unpublished]

Before GRUENDER, BENTON, and STRAS, Circuit Judges.

PER CURIAM.

Montarris Marquis Raiford directly appeals after pleading guilty in the district court¹ to a drug offense, pursuant to a plea agreement containing an appeal waiver.

¹The Honorable D.P. Marshall Jr., United States District Judge for the Eastern District of Arkansas.

Raiford's counsel has moved to withdraw, and has 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 based on the appeal waiver.

Upon review, this court concludes that the appeal waiver is valid, applicable, and enforceable. *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, 889-92 (8th Cir. 2003) (en banc) (appeal waiver will be enforced if appeal falls within scope of waiver, defendant knowingly and voluntarily entered into plea agreement and waiver, and enforcing waiver would not result in miscarriage of justice). An independent review of the record reveals no nonfrivolous issues for appeal outside the scope of the waiver. *See Penson v. Ohio*, 488 U.S. 75 (1988).

The appeal is dismissed. Counsel's motion to withdraw is granted.
