

United States Court of Appeals
For the Eighth Circuit

No. 18-3035

United States of America

Plaintiff - Appellee

v.

Jose Gonzalez-Perez, also known as El Perro

Defendant - Appellant

Appeal from United States District Court
for the District of Minnesota

Submitted: November 22, 2019

Filed: November 27, 2019

[Unpublished]

Before COLLOTON, BENTON, and GRASZ, Circuit Judges.

PER CURIAM.

Jose Gonzalez-Perez appeals after he pled guilty to a drug offense, pursuant to a plea agreement containing an appeal waiver, and the district court¹ sentenced him

¹The Honorable Wilhelmina M. Wright, United States District Judge for the District of Minnesota.

within the advisory range under the United States Sentencing Guidelines Manual. His counsel has moved to withdraw, and has filed a brief under *Anders v. California*, 386 U.S. 738 (1967), challenging the substantive reasonableness of Gonzalez-Perez's sentence.

Upon careful de novo review, we conclude the appeal waiver is valid, applicable, and enforceable. See *United States v. Scott*, 627 F.3d 702, 704 (8th Cir. 2010) (reviewing de novo the validity and applicability of appeal waiver); *United States v. Andis*, 333 F.3d 886, 889-92 (8th Cir. 2003) (en banc) (enforcing appeal waiver 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). We have also independently reviewed the record under *Penson v. Ohio*, 488 U.S. 75 (1988), and there are no non-frivolous issues for appeal falling outside the scope of the appeal waiver. Accordingly, we grant counsel's motion, and we dismiss this appeal.
