

United States Court of Appeals  
For the Eighth Circuit

---

No. 18-3508

---

United States of America

*Plaintiff - Appellee*

v.

Roy L. House, Jr.

*Defendant - Appellant*

---

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

---

Submitted: August 12, 2019

Filed: August 15, 2019

[Unpublished]

---

Before LOKEN, GRUENDER, and KOBES, Circuit Judges.

---

PER CURIAM.

Roy House, Jr. appeals after he pleaded guilty, under a plea agreement containing an appeal waiver, to Hobbs Act robbery and a firearm offense, and the

district court<sup>1</sup> sentenced him, as a career offender, to a total of 360 months in prison. His counsel seeks to withdraw, and has filed a brief under Anders v. California, 386 U.S. 738 (1967), arguing that the court erred in classifying House as a career offender, and challenging the reasonableness of the sentence.

We will enforce the appeal waiver in this case because House entered into the plea agreement and the appeal waiver knowingly and voluntarily, his arguments fall within the scope of the appeal waiver, and no miscarriage of justice would result from enforcing the waiver. See United States v. Scott, 627 F.3d 702, 704 (8th Cir. 2010) (standard of review); United States v. Andis, 333 F.3d 886, 889–92 (8th Cir. 2003) (en banc) (discussing enforcement of appeal waivers). Further, we have independently reviewed the record under Penson v. Ohio, 488 U.S. 75 (1988), and have found no non-frivolous issues for appeal falling outside the scope of the appeal waiver. Accordingly, we dismiss this appeal based on the appeal waiver, and we grant counsel leave to withdraw.

---

---

<sup>1</sup>The Honorable Roseann A. Ketchmark, United States District Judge for the Western District of Missouri.