

United States Court of Appeals  
For the Eighth Circuit

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No. 21-1557

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United States of America

*Plaintiff - Appellee*

v.

Richard Alan Huff

*Defendant - Appellant*

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Appeal from United States District Court  
for the Southern District of Iowa - Western

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Submitted: August 20, 2021

Filed: August 25, 2021

[Unpublished]

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Before BENTON, KELLY, and ERICKSON, Circuit Judges.

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PER CURIAM.

Richard Huff appeals the sentence the district court<sup>1</sup> imposed after he pled guilty to a drug offense, pursuant to a plea agreement containing an appeal waiver.

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<sup>1</sup>The Honorable Rebecca Goodgame Ebinger, United States District Judge for the Southern District of Iowa.

His counsel has filed a brief under Anders v. California, 386 U.S. 738 (1967), challenging the reasonableness of the sentence, and has moved to withdraw.

We conclude that the appeal waiver is valid, enforceable, and applicable to the issue raised in this appeal. See United States v. Scott, 627 F.3d 702, 704 (8th Cir. 2010) (this court reviews de novo 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 a miscarriage of justice).

Having independently reviewed the record pursuant to Penson v. Ohio, 488 U.S. 75 (1988), we find no nonfrivolous issues for appeal outside the scope of the appeal waiver. Accordingly, we grant counsel's motion to withdraw, and we dismiss the appeal.

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