

United States Court of Appeals
For the Eighth Circuit

No. 24-1727

United States of America

Plaintiff - Appellee

v.

Willian Alejandro Zacarias Perez, Spanish, also known as Erick Zacarias Perez,
also known as William Alejandro Zacarias Perez, also known as Alejandro Perez
Fernandez, also known as William Zacarias

Defendant - Appellant

Appeal from United States District Court
for the District of South Dakota - Western

Submitted: August 13, 2024

Filed: August 23, 2024

[Unpublished]

Before GRUENDER, SHEPHERD, and ERICKSON, Circuit Judges.

PER CURIAM.

Willian Perez appeals the sentence the district court¹ imposed after he pleaded guilty to drug conspiracy offenses, pursuant to a written plea agreement containing an appeal waiver. 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 the sentence.

We conclude that the appeal waiver is valid, enforceable, and applicable to the issues raised in this appeal. *See United States v. Scott*, 627 F.3d 702, 704 (8th Cir. 2010) (stating that this court reviews de novo the validity and applicability of an appeal waiver); *United States v. Andis*, 333 F.3d 886, 889-92 (8th Cir. 2003) (en banc) (stating that an appeal waiver will be enforced if the appeal falls within the scope of the waiver, the defendant knowingly and voluntarily entered into the plea agreement and the waiver, and enforcing the 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 non-frivolous issues for appeal outside the scope of the appeal waiver. Accordingly, we grant counsel leave to withdraw and dismiss this appeal.

¹The Honorable Karen E. Schreier, United States District Judge for the District of South Dakota.