

**IMPORTANT NOTICE**  
**NOT TO BE PUBLISHED OPINION**

***THIS OPINION IS DESIGNATED "NOT TO BE PUBLISHED." PURSUANT TO THE RULES OF CIVIL PROCEDURE PROMULGATED BY THE SUPREME COURT, CR 76.28 (4) (c), THIS OPINION IS NOT TO BE PUBLISHED AND SHALL NOT BE CITED OR USED AS AUTHORITY IN ANY OTHER CASE IN ANY COURT OF THIS STATE.***

RENDERED: OCTOBER 19, 2006  
NOT TO BE PUBLISHED

Supreme Court of Kentucky **FINAL**

2006-SC-0440-MR

DATE 11-9-06 EIA/Graun/PC

DANALE SNEED

APPELLANT

V. APPEAL FROM CAMPBELL CIRCUIT COURT  
HONORABLE FRED A. STINE V, JUDGE  
2005-CR-00119

COMMONWEALTH OF KENTUCKY

APPELLEE

**MEMORANDUM OPINION OF THE COURT**

AFFIRMING

This appeal is from a judgment of conviction based on an unconditional guilty plea. Sneed was sentenced to 20 years in prison.

Sneed entered a guilty plea to four counts of first degree trafficking in a controlled substance, second or subsequent offense. He did not plead guilty based on any recommendation of sentence from the Commonwealth. As the trial judge was accepting the plea, Sneed acknowledged he was giving up his Constitutional rights including his right to an appeal. He was sentenced to serve 20 years on each count with the sentences to run concurrently for a total of 20 years. He did not file a post plea motion to withdraw his plea of guilty but instead filed this Anders appeal. At the request of counsel, Sneed has been provided more than 30 days to file any authority with this Court in a pro se manner. Nothing has been filed.

If counsel conscientiously investigates and examines the entire record and determines that an appeal is frivolous, a request for leave to withdraw is appropriate. Anders v. California, 386 U.S. 738 (1967). We have undertaken our own careful review of this limited record and agree with counsel that there is no issue to address on appeal. The trial judge properly inquired into the knowing and voluntary nature of Sneed's waiver of rights, including his right to appeal, when he entered into the plea of guilty. A waiver that is entered into in a voluntary and knowing manner is valid and will not be disturbed on appeal. Johnson v. Commonwealth, 120 S.W.3d. 704 (Ky. 2003).

We find nothing in the record to indicate there is a meritorious issue to address. The waiver of rights is valid. Counsel's request to withdraw is granted.

The judgment of conviction and sentence is affirmed.

All concur.

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