

United States Court of Appeals
FOR THE EIGHTH CIRCUIT

No. 00-1449

United States of America,

Appellee,

v.

Jorge Perez,

Appellant.

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Appeal from the United States
District Court for the Southern
District of Iowa.

[UNPUBLISHED]

Submitted: December 5, 2000

Filed: December 11, 2000

Before McMILLIAN, BOWMAN, and MORRIS SHEPPARD ARNOLD, Circuit
Judges.

PER CURIAM.

Jorge Perez appeals following the district court's¹ imposition of sentence upon his guilty plea to a drug offense. His counsel has filed a brief and moved to withdraw pursuant to Anders v. California, 386 U.S. 738 (1967). Mr. Perez has filed a pro se supplemental brief, in which he raises the issue whether his counsel was ineffective for failing to bring to the court's attention, as a basis for a downward departure,

¹The Honorable Harold D. Vietor, United States District Judge for the Southern District of Iowa.

Mr. Perez's plea-agreement stipulation to deportation. If Mr. Perez wishes to pursue a claim of ineffective assistance of counsel based on his dissatisfaction with counsel's performance, however, he should do so in a 28 U.S.C. § 2255 proceeding. See United States v. Guzman-Landeros, 207 F.3d 1034, 1035 (8th Cir. 2000) (per curiam). Having reviewed the Anders brief and the record, we find no nonfrivolous issues for appeal. See Penson v. Ohio, 488 U.S. 75, 80 (1988); Anders, 386 U.S. at 744.

Accordingly, we affirm and grant counsel's motion to withdraw.

A true copy.

Attest:

CLERK, U.S. COURT OF APPEALS, EIGHTH CIRCUIT.