

United States Court of Appeals
FOR THE EIGHTH CIRCUIT

No. 01-1314

United States of America,

Appellee,

v.

Juan Solano, also known as George,

Appellant.

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* Appeal from the United States
* District Court for the
* Northern District of Iowa.
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* [UNPUBLISHED]
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Submitted: October 4, 2001
Filed: October 10, 2001

Before BOWMAN, FAGG, and BEAM, Circuit Judges.

PER CURIAM.

Juan Solano appeals the sentence the district court imposed upon his guilty plea to a conspiracy involving drug trafficking. On appeal, counsel has moved to withdraw and filed a brief pursuant to Anders v. California, 386 U.S. 738 (1967), in which he argues the district court erred by sentencing Solano above the ten-year mandatory minimum sentence, and by enhancing Solano's sentence under U.S.S.G. § 2D1.1(b)(1). Solano cannot challenge his sentence, however, because the district court sentenced him within the Guidelines range he agreed to at sentencing, and because he specifically withdrew his prior objection to the recommended enhancement. See United States v. Olano, 507 U.S. 725, 733 (1993); United States

v. Nguyen, 46 F.3d 781, 783 (8th Cir. 1995); cf. United States v. Tulk, 171 F.3d 596, 600 (8th Cir. 1999) (holding that review is not necessary when objection is waived).

We have reviewed the record in accordance with Penson v. Ohio, 488 U.S. 75 (1988), and find no nonfrivolous issues. Accordingly, we affirm and grant counsel's motion to withdraw.

A true copy.

Attest:

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