

**United States Court of Appeals**  
**FOR THE EIGHTH CIRCUIT**

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No. 01-3372

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United States of America,

Appellee,

v.

Timothy A. Whitfield, also known  
as Timothy Allen Richardson,

Appellant.

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Appeal from the United States  
District Court for the Western  
District of Missouri

[UNPUBLISHED]

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Submitted: June 6, 2002

Filed: June 12, 2002

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Before McMILLIAN, BOWMAN, and MURPHY, Circuit Judges.

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PER CURIAM.

Timothy A. Whitfield appeals from the final judgment entered in the District Court<sup>1</sup> for the Western District of Missouri after he pleaded guilty to bank robbery, in violation of 18 U.S.C. § 2113(a). The district court sentenced Whitfield to 151 months imprisonment and 3 years supervised release. Counsel has moved to withdraw on appeal pursuant to Anders v. California, 386 U.S. 738 (1967), and has

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<sup>1</sup>The Honorable Howard F. Sachs, United States District Judge for the Western District of Missouri.

filed a brief challenging Whitfield's classification as a career offender. Whitfield has not filed a pro se supplemental brief. For the reasons discussed below, we dismiss this appeal.

Because Whitfield knowingly and voluntarily waived the right to challenge his sentence on direct appeal, we will not entertain counsel's argument about the propriety of Whitfield's career offender status. See United States v. Morrison, 171 F.3d 567, 568 (8th Cir. 1999) (waiver of appeal enforcement). Further, we have reviewed the record independently for any unwaived, nonfrivolous issues, see Penson v. Ohio, 488 U.S. 75, 80 (1988), and we have found none. Accordingly, we grant counsel's motion to withdraw, and we dismiss the appeal.

A true copy.

Attest:

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