

United States Court of Appeals
FOR THE EIGHTH CIRCUIT

No. 04-3286

United States of America,

Appellee,

v.

Aliak Young Guard Thor, also known
as Red,

Appellant.

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Appeal from the United States
District Court for the
District of Minnesota.

[UNPUBLISHED]

Submitted: September 29, 2005
Filed: October 4, 2005

Before ARNOLD, FAGG, and SMITH, Circuit Judges.

PER CURIAM.

Aliak Thor appeals the 60-month prison sentence the district court¹ imposed after he pleaded guilty to conspiring to engage in the sexual trafficking of a minor in violation of 18 U.S.C. §§ 371, 1591. Mr. Thor's counsel has moved to withdraw and has filed a brief under Anders v. California, 386 U.S. 738 (1967), arguing that Mr. Thor was denied the effective assistance of counsel, and that the sentence imposed was harsher than anticipated.

¹The Honorable Joan N. Ericksen, United States District Judge for the District of Minnesota.

The arguments fail. Any ineffective-assistance claim should be raised in 28 U.S.C. § 2255 proceedings, see United States v. Hughes, 330 F.3d 1068, 1069 (8th Cir. 2003), and Mr. Thor's plea-agreement stipulation to the specific sentence that was actually imposed forecloses any argument relating to that sentence, see United States v. Nguyen, 46 F.3d 781, 783 (8th Cir. 1995) (defendant who explicitly and voluntarily exposes himself to specific sentence may not challenge that punishment on appeal).

Having reviewed the record independently under Penson v. Ohio, 488 U.S. 75 (1988), we find no nonfrivolous issues. Accordingly, we grant counsel's motion to withdraw, and we affirm.
