

United States Court of Appeals
FOR THE EIGHTH CIRCUIT

No. 05-1890

United States of America,

Appellee,

v.

Troy Brown, III,

Appellant.

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* Appeal from the United States

* District Court for the

* Eastern District of Missouri.

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* [UNPUBLISHED]

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Submitted: February 2, 2006

Filed: February 8, 2006

Before ARNOLD, BYE, and SMITH, Circuit Judges.

PER CURIAM.

Troy Brown, III pleaded guilty to using a communication facility to facilitate the possession of cocaine with intent to distribute, in violation of 21 U.S.C. § 843(b). The district court¹ sentenced him to 48 months in prison and a year of supervised release. On appeal, Brown's counsel has moved to withdraw and filed a brief under Anders v. California, 386 U.S. 738 (1967).

¹The Honorable Rodney W. Sippel, United States District Judge for the Eastern District of Missouri.

Having reviewed the record independently pursuant to Penson v. Ohio, 488 U.S. 75 (1988), we conclude that there are no nonfrivolous issues for appeal. Brown entered a valid guilty plea that forecloses non-jurisdictional attacks on his conviction, see United States v. Beck, 250 F.3d 1163, 1166 (8th Cir. 2001), and his plea agreement contains a valid appeal waiver that forecloses attacks on his sentence, see United States v. Andis, 333 F.3d 886, 889-90 (8th Cir.) (en banc), cert. denied, 540 U.S. 997 (2003). Accordingly, we enforce the appeal waiver and dismiss this appeal. Counsel's motions to supplement the record and to withdraw are granted.
