

United States Court of Appeals
For the Eighth Circuit

No. 16-4430

United States of America

Plaintiff - Appellee

v.

Randel Branscum

Defendant - Appellant

Appeal from United States District Court
for the Eastern District of Arkansas - Little Rock

Submitted: July 3, 2017

Filed: July 12, 2017

[Unpublished]

Before BENTON, BOWMAN, and SHEPHERD, Circuit Judges.

PER CURIAM.

Randel Branscum appeals after he pleaded guilty with a written plea agreement to a civil rights offense and the District Court¹ imposed the agreed-upon sentence.

¹The Honorable Brian S. Miller, Chief Judge, United States District Court for the Eastern District of Arkansas.

Branscum’s counsel has moved for leave to withdraw and has filed a brief under Anders v. California, 386 U.S. 738 (1967), questioning whether Branscum received effective assistance of counsel.

We decline to address the ineffective-assistance claim on direct appeal. See United States v. Ramirez-Hernandez, 449 F.3d 824, 826–27 (8th Cir. 2006) (noting that ineffective-assistance claims “are usually best litigated in collateral proceedings” where the record can be properly developed). We have reviewed the record under Penson v. Ohio, 488 U.S. 75, 80 (1988), and we have found no non-frivolous issues for appeal. We affirm the judgment, and we grant counsel’s motion for leave to withdraw.
