

United States Court of Appeals
For the Eighth Circuit

No. 18-2757

United States of America,

Plaintiff - Appellee,

v.

William A. Porter,

Defendant - Appellant.

Appeal from United States District Court
for the Western District of Missouri - Kansas City

Submitted: April 24, 2019

Filed: May 3, 2019

[Unpublished]

Before COLLOTON, WOLLMAN, and KELLY, Circuit Judges.

PER CURIAM.

William Porter directly appeals the sentence the district court¹ imposed after he pleaded guilty to a drug offense, pursuant to a plea agreement containing an appeal

¹The Honorable Greg Kays, United States District Judge for the Western District of Missouri.

waiver. His counsel has moved to withdraw and has filed a brief under *Anders v. California*, 386 U.S. 738 (1967), challenging the sentence as substantively unreasonable.

We will enforce the appeal waiver in this case because Porter entered into the plea agreement and the appeal waiver knowingly and voluntarily, his challenge to the sentence falls within the scope of the appeal waiver, and no miscarriage of justice would result from enforcing the waiver. *See United States v. Scott*, 627 F.3d 702, 704 (8th Cir. 2010) (de novo review); *United States v. Andis*, 333 F.3d 886, 889-92 (8th Cir. 2003) (en banc). Further, we have independently reviewed the record under *Penson v. Ohio*, 488 U.S. 75 (1988), and have found no non-frivolous issues for appeal outside the scope of the appeal waiver.

Accordingly, we grant counsel's motion to withdraw and dismiss this appeal.
