

United States Court of Appeals
For the Eighth Circuit

No. 19-2358

United States of America

Plaintiff - Appellee

v.

Michael Keavney, agent of Dyna-Mike

Defendant - Appellant

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

Submitted: February 27, 2020

Filed: March 3, 2020

[Unpublished]

Before GRUENDER, WOLLMAN, and STRAS, Circuit Judges.

PER CURIAM.

Michael Keavney appeals the sentence the district court¹ imposed after he pleaded guilty to a drug offense pursuant to a plea agreement that contained an appeal

¹The Honorable Roseann A. Ketchmark, United States District Judge for the Western District of Missouri.

waiver. His counsel seeks leave to withdraw and has filed a brief under *Anders v. California*, 386 U.S. 738 (1967), questioning whether the district court imposed a substantively reasonable sentence.

We conclude that the appeal waiver is valid, enforceable, and applicable to the issues raised in this appeal. *See United States v. Scott*, 627 F.3d 702, 704 (8th Cir. 2010) (stating that this court reviews de novo the validity and applicability of an appeal waiver); *United States v. Andis*, 333 F.3d 886, 889-92 (8th Cir. 2003) (en banc) (stating that an appeal waiver will be enforced if the appeal falls within the scope of the waiver, the defendant knowingly and voluntarily entered into the plea agreement and the waiver, and enforcing the waiver would not result in a miscarriage of justice).

Having independently reviewed the record pursuant to *Penson v. Ohio*, 488 U.S. 75 (1988), we find no nonfrivolous issues for appeal outside the scope of the appeal waiver. Accordingly, we dismiss this appeal, and grant counsel leave to withdraw.
