

United States Court of Appeals
For the Eighth Circuit

No. 19-2715

United States of America,

Plaintiff - Appellee

v.

Jaime Alberto Ramirez-Lopez, also known as Alberto Ramirez, also known as
Hector Rodriquez, also known as Jaime Alberto Lopez.

Defendant - Appellant

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

Submitted: March 27, 2020
Filed: April 10, 2020
[Unpublished]

Before COLLOTON, WOLLMAN, and KELLY, Circuit Judges.

PER CURIAM.

Jaime Alberto Ramirez-Lopez pleaded guilty to drug and firearm offenses under a plea agreement containing an appeal waiver, and the district court¹ sentenced him to a term of imprisonment below the advisory guidelines range. Ramirez-Lopez appeals. His counsel has moved for leave to withdraw, and has filed a brief under *Anders v. California*, 386 U.S. 738 (1967), acknowledging the appeal waiver and challenging the substantive reasonableness of the sentence.

We will enforce the appeal waiver in this case because Ramirez-Lopez 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); *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 dismiss this appeal based on the appeal waiver, and we grant counsel's motion to withdraw.

¹The Honorable Howard F. Sachs, United States District Judge for the Western District of Missouri.