

United States Court of Appeals
For the Eighth Circuit

No. 20-2349

United States of America

Plaintiff - Appellee

v.

Victor M. De Santiago

Defendant - Appellant

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

Submitted: January 15, 2021

Filed: January 22, 2021

[Unpublished]

Before COLLOTON, GRUENDER, and SHEPHERD, Circuit Judges.

PER CURIAM.

Victor De Santiago appeals the sentence the district court¹ imposed after he pleaded guilty to drug offenses, pursuant to a plea agreement containing an appeal

¹The Honorable M. Douglas Harpool, United States District Judge for the Western District of Missouri.

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

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